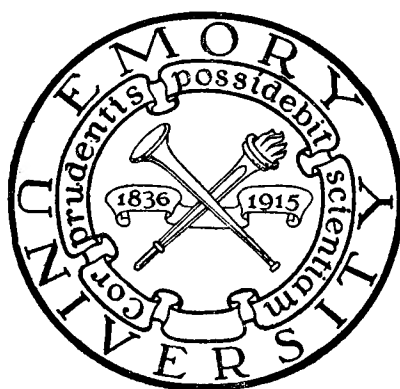


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JOURNAL
OF THE
Senate of the State of Georgia
AT THE
ANNUAL SESSION
OF THE
GENERAL ASSEMBLY,
BEGUN AND HELD IN MILLEDGEVILLE,
THE SEAT OF GOVERNMENT,
1866.



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1866.

JOURNAL OF THE SENATE

OF THE

STATE OF GEORGIA.

MILLEDGEVILLE, GA.,
THURSDAY, NOVEMBER 1ST, 1866.

THE SENATE convened this day in annual session, and was called to order by the President, Hon. WILLIAM GIBSON.

On a call of the roll, the following Senators answered to their names, to-wit:

Messrs. O. P. Beall, W. R. Bell, Black, Butler, Carter, Daley, Dickey, England, Ezzard, Freeman, Fuller, Griffin, Gresham, J. A. W. Johnson, J. F. Johnson, Kenan, Manson, Mims, Moore, Owens, Parris, Redding, Russell, Simmons, O. L. Smith, Strickland, Strozier, and Turner.

The Hon. WILLIAM T. VANDUZER, Senator elect from the 30th Senatorial District, to fill the vacancy caused by the resignation of the Hon. J. S. GHOLSTON, and the Hon. J. A. BLOUNT, Senator elect from the 12th District, to fill the vacancy caused by the resignation of the Hon. WILLARD BOYNTON, appeared, were qualified, and took their seats.

On motion of Mr. GRESHAM, the Secretary was directed to inform the House of Representatives that the Senate had convened, and a quorum being present, they were ready to proceed to business.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: I am directed by the House of Representatives to inform the Senate that a quorum of their body being present, they are now ready to proceed to business.

They have also agreed to a resolution for the appointment of a Joint Committee to wait upon his Excellency, the Governor, and notify him that both branches of the General Assembly have convened, and a quorum of each being present, are now ready to receive any communication that he may wish to make. The committee on the part of the House are Messrs. Morrow, Morris, of Franklin, and Glenn.

Messrs. Gresham, Moore and Owens were appointed a Committee, on the part of the Senate, to join such Committee as may be appointed upon the part of the House of Representatives, to wait on his Excellency, the Governor, and inform him that both branches of the General Assembly had convened, and were ready to receive any communications he might have to make.

Mr. GRESHAM, from the Joint Committee appointed on the part of the Senate, to wait on his Excellency, the Governor, reported that they had discharged that duty, and that his Excellency would communicate his Annual Message with accompanying documents immediately.

The following message was received from his Excellency, the Governor, by Mr. Hunter, his Secretary, to-wit:

Mr. President: I am directed by the Governor to deliver to the Senate his Annual Message, with accompanying documents.

On motion of Mr. MOORE, the Message was taken up and read, as follows:

MESSAGE.

EXECUTIVE DEPARTMENT,

MILLEDGEVILLE, GA., NOVEMBER 1ST, 1866.

Senators and Representatives:

Although, during the year now drawing to a close, the seasons have been unpropitious to the husbandman, trade disappointing to the merchant, and the signs of the times discouraging to the patriot, blessings, not wholly "in disguise," have come to all. The true believer recognizes the hand of an over-ruling Providence as well in seeming evil as in positive good.

It becomes all men, of every age and every clime, to accept adversity as merited chastisement, and to propitiate offended Deity by repentance and reform.

FEDERAL RELATIONS.

Since your last adjournment, little progress has been made either in the reconstruction of a dismembered Government, or in the restoration of material prosperity to that portion of the country desolated by recent civil war. However produced, the fact is indisputable, that the Government of the United States this day stands before the civilized world in the lamentable condition of dismemberment. Four of the thirteen States that originally took part in the formation of the Union, and

six that have been added in the progress of a marvelous development, are now totally excluded from participation in its legislative and administrative functions. It is true that the now excluded States did voluntarily abandon such participation, by what was designed as a peaceful and permanent withdrawal; but the right so to do was denied to them, and upon that question of right the war ensued. The party denying the existence of the right, maintained that the Union was indissoluble by such means, that it still existed in full force, and nothing more was necessary than the suppression of irregular resistance to its authority. That resistance having been suppressed, after a struggle of five years' continuance—the resistants having grounded their arms—submitted in word and act to the authorities of the United States—rescinded all constitutions, ordinances, laws and resolutions asserting independence of, or antagonism to that Government—declared its Constitution their supreme law, and elected Senators and Representatives to the Federal Congress—the logical conclusion from the premises of the victors is, and the practical result should be, that the attempt has failed and that the Union stands unshaken. All that the resistants may have done towards dismemberment, they have undone. The temporary breach they made, they have repaired. Why, then, are they not in the Union as formerly? The answer is, that the dominant States, through their representatives in Congress, positively refuse their admission to the national councils, and the conclusion is inevitable, that from this refusal the present dismemberment results. Reasoning upon their own theory, if the Southern States be not now within the pale of the Union, they have been ejected by this Congress. If they be, their constitutional right of representation is denied them by the same authority.

The President of the United States, second to none in devotion to the Union, though placed during the war, by the intensity of that feeling, in opposition to his native section, consistently illustrates it in restored peace. He distinctly affirms the right of the Southern States to representation in Congress; and, for this adherence to principle, has been abandoned and denounced by those who placed him in power. The Legislative and Executive Departments of the Government are thus brought into conflict, seemingly irreconcilable and daily increasing in bitterness.

The people, too, of the dominant States now wielding the whole power of the Government, are themselves divided; and we, the excluded, against whom they recently presented the unbroken front of relentless war, though now passive and unresisting, have suddenly become to them an apple of discord. In this contest, our position, our motives, and our purposes are severely scrutinized. These are all flagrantly misrepre-

sented by unscrupulous demagogues, and many, very many, well meaning persons are undoubtedly deceived by them.

The pending issue may not find a very early solution. Meantime, we pass through an ordeal thoroughly adapted "*to try men's souls.*" But we must be true to ourselves, to those, who, though not of us, are fighting our battles, and to the country; we must steadily and calmly pursue the course upon which we have started, neither betrayed into error by false representations of the malignant and consequent injurious suspicions of the credulous; nor yielding to humiliating demands, against which justice exclaims and manhood revolts. Pursuing this course, we shall, in time, live down both de-traction and delusion, and achieve a moral victory far more enduring and ennobling than any triumph of mere physical force.

PROPOSED AMENDMENT OF THE CONSTITUTION.

As german to the subject already discussed, I call your attention to another proposed amendment of the Constitution of the United States, transmitted to me by the Secretary of State, and accompanying this communication. The fact that your action upon it is thus invoked, imposes on you an obligation to consider it respectfully.

This amendment, designed, like all of recent origin, to operate especially on the Southern States, contains several sections, to some of which I invite special attention.

1. The prominent feature of the first is, that it settles definitely the right of citizenship in the several States, as political communities, thereby depriving them in the future of all discretionary power over the subject within their respective limits, and with reference to their State Governments proper. It makes all persons of color, born in the United States, citizens.

2. The second changes the basis of representation in the popular branch of the Congress and in Presidential electoral colleges. It provides that, in apportioning representation among the States, all persons (except Indians not taxed) shall be taken into the enumeration, unless the elective franchise be denied in any State to any male inhabitants, being citizens of the United States, and twenty-one years of age, or be in any manner abridged (otherwise than as a punishment for crime,) in which event the representation shall be proportionally reduced.

Whether the object in proposing this change be the extension of the elective franchise to persons of African descent, (nearly all of whom are notoriously unqualified for it,) or a further diminution of the already relatively small weight of the Southern States in the administration of the Government, the adoption of this amendment will certainly force upon them a choice between those evils. If the former be the real

object, the latter alternative must be regarded simply as a penalty for refusing it. In this view, it is not difficult to expose the flagrant injustice of the proposition. Let us consider briefly how the amendment will affect States wherein slavery did not exist prior to the war, and how those wherein it existed. In the former class, the selection of the one or the other alternative will be only a matter of taste, no great public interest being involved. If the franchise be extended, the number thus newly admitted to the ballot will be so small that no appreciable effect upon popular elections can result. If refused, the number excluded from the enumeration in fixing the ratio of representation will still be so small, that the consequent reduction would not be seriously felt, and in some instances would probably be merely fractional, producing no curtailment at all. Now, look to the other class of States. There the number of voters proposed to be enfranchised, and wholly unprepared for the trust would be immense, and the disturbance in the motive power of republican machinery incalculable. There, too, on the other hand, if the franchise be withheld, the reduction of representation would be vast. Is there fairness, is there justice in a proposed change so differently affecting different portions of a country, united under a common government for the common weal? Would the enforcement of such a change by a majority, it could not harm, upon a minority it must ruin, bespeak magnanimity?

It may be said in reply, that the Constitution does not respect sectional differences—that it was designed for the protection and advancement of personal rights. To a large extent this is an egregious error. The Union was originally designed mainly for the conduct of foreign affairs and common defense, leaving to the States the regulation of their domestic concerns. The Constitution resulted from a compromise of sectional interests, without which it could not have been formed. Indeed, in that compromise, the rights and interests of the Caucasian as affected by the presence of a very large African population in some of the States, were considered and adjusted. The African element, whether bond or free, was computed alike with reference to this identical subject of representation, and alike ignored regarding the elective franchise.

The objection now urged against the amendment is, that it will fall upon citizens inhabiting one latitude like an avalanche from its mountain perch, crushing where it settles; whilst upon those of another latitude it will alight unfelt like a feather floating in still air.

3. The third section engrafts upon the fundamental law a new disqualification for office, State and Federal—a disqualification not the result of any act to be done after the adoption

of the amendment, but consummated before its conception. The act entailing disqualification for office consists in having heretofore taken an oath to support the Constitution of the United States, and having thereafter engaged in rebellion or insurrection against the same, or "having given aid and comfort to the enemies thereof." Considering the number of our citizens who have taken the oath under the circumstances set forth, the number personally engaged in the war, and the breadth of ground covered by the words "*giving aid and comfort to the enemies thereof*," we can readily perceive the sweeping character of the disqualification. It is as distinctly proscriptive as if the persons to be affected had been ascertained and their names inserted.

Let it be noted, also, that the proscribed are all dwellers on one side of a certain geographical line, whilst the authors of the proscription have their local habitation on the other side.

It is quite remarkable, moreover, that there is in the entire section no saving clause in favor of those who, in the interval between the cessation of hostilities and the adoption of the Amendment, may have received the amnesty of the Government. Pardoned they may have been, but disfranchised they will be.

You are asked to give your consent that such a fate be visited upon many of your best citizens, who have long enjoyed the public confidence, and some of whom now fill important public trusts. Can Georgia spare all of these from her service?

5. The fifth and last section empowers the Congress "to enforce, by appropriate legislation," the provisions of the Amendment. It will be contended that they are the proper judges of what constitutes appropriate legislation. If, therefore, the Amendment be adopted, and a fractional Congress, from which the Southern States, chiefly interested in it, are excluded, be empowered "to enforce it by *appropriate legislation*," what vestige of hope remains to the people of those States? Nay, more, what semblance of Republican Government can the true patriot of the North discern in such a state of affairs? Yet, that is the point to which we seem to be drifting; for there is no assurance whatever that even this concession will ensure our restoration. Amendments have already been proposed to and accepted by us, which it was believed would effect that result; but hope is still deferred, right still denied.

I will not further analyze this Amendment, equally novel and unjust.

I ask you to consider, however, why it is that you are called upon to vote upon its adoption, whilst your State had no voice in its preparation? The Constitution secures to the States the one right as distinctly and as positively as the other.

Had your Representatives, and those of other States similarly situated, been present, aiding in giving substance and form to it, possibly it might have come before you a less odious thing. The policy seems to have been, *first* to push it, without their participation, beyond the stage of amendment, and then say to them, accept our bantling or take the consequences. The omission of any material part of the process of amendment, makes the amendment itself, *unconstitutional, null and void*.

Should the States especially to be affected by this amendment refuse their assent to it, it cannot be adopted without excluding them from the count and placing its ratification upon the votes of three-fourths of the now dominant States.

It is said, however, that unless this concession be made, the now excluded States will be kept out of the halls of Congress indefinitely. Were the Amendment presented with such a menace distinctly expressed, a higher motive (if possible) than any hitherto suggested would prompt its rejection.

At the termination of hostilities, it was right and proper that the previously resisting States should, in the most unequivocal and formal manner, abandon such resistance—should rescind all they had done in antagonism to, and do whatever was necessary and proper to place themselves in constitutional relation with, that Government. All this, we believe, Georgia has done. Beyond this, in acting upon any proposed change in the fundamental law, even in this critical juncture, my advice is, that her legislators act with the same intelligent judgment and the same unflinching firmness, that they would have exercised in the past, or would exercise in the future, when in full connection and unambiguous position. Any other rule of action may involve sacrifices of interest and of principle which magnanimity would not exact and self-respect could not make.

To submit to injurious changes in the Constitution, when forced upon a State, according to the forms prescribed for its amendment, would be one thing; to participate in making them, under duress, against her sense of right and justice, would be a very different thing. The difference, in principle, is as broad as that which distinguishes martyrdom from suicide. Far better calmly await a returning sense of justice, and a consequent reflux of the tide now running strongly against us.

The military rule to which, as a people, we have been subjected during the past eighteen months, so different from all previous experience, must necessarily be more or less prejudicial to our interests and wounding to our feelings. You are well aware, however, that it has been greatly mitigated during your recess. The Administration, I think, have become thoroughly convinced that the sword and the bayonet are not necessary to the enforcement of law and order in Georgia.

We probably have not now a larger military force within our borders than have often been stationed here in times of perfect peace. Our people, with rare exceptions, such as occur everywhere, have been quiet, orderly, and devoted to industrial pursuits. The officers of the Army and agents of the Freedmen's Bureau, stationed among us, have, with few exceptions, manifested a growing confidence and a disposition to relax their authority and leave the administration of the law to the civil courts. Vexatious interferences sometimes occur, usually traceable to imprudent conduct on the part of misguided citizens, or to the officious intermeddling of injudicious or evil-disposed subordinates. Due allowance being made for honest differences of opinion upon questions arising in a novel state of affairs, the President and heads of departments have manifested a gratifying determination to deal justly and kindly with our government and people. With a view to the adjustment of some points of difference, the more rapid restoration of mail facilities, and the procuring of action upon the application of our citizens for amnesty, in which they naturally felt great anxiety, I made a short visit to Washington, and had abundant reason to be gratified by the kindness shown towards our people in word and in act.

FINANCES, STATE DEBT AND TAXATION.

You are fully aware of the difficulties that have beset the fiscal operations of the Government during the past year. There has been no relaxation of the pressure upon the Treasury since I came into office. Empty when the process of reorganizing the State Government commenced, and the ordinary sources of supply suspended, it has been called upon to meet large arrearages for the year 1865, demands originating anterior to that year, the expenses of the Provisional Government, (except the salary of the incumbent of this office,) expenses of the Convention of 1865, those of the reorganized Government, repairs and refitting of the Western and Atlantic Railroad, the supply of corn for the destitute, and other appropriations made at the late session of the General Assembly. As was anticipated and provided for, these heavy demands could only be discharged by recourse to the credit of the State.

The authority given me at your last session to raise money by sale of the bonds of the State has been partially executed. After careful consideration and advisement with those more versed in financial affairs than myself, I determined, in the exercise of the discretion reposed in me, to issue bonds with the ample security afforded by a mortgage of the Western and Atlantic Railroad. The delay incident to the preparation of these bonds, and the annexation of the mortgage security, rendered a resort to temporary loans necessary.

A very liberal spirit was manifested by moneyed corporations and by individuals of our own State; but in this time of prostration, barely enough could be realized from these sources to defray ordinary expenses and pressing arrearages. To obtain the means of purchasing corn for the destitute, and making repairs upon the Western and Atlantic Railroad, it was found necessary to resort to localities where money was more abundant and States and individuals less needy. In New York, the great commercial emporium of the country, the required relief was found. Loans for four and three months were negotiated at the rate of seven per cent. per annum. Only in two or three instances, (within the State) for small amounts comparatively, when there remained no other resource to meet the expenses of your last session, rapidly drawing to a close, was more than seven per cent. paid for these temporary loans. All of the short loans thus far negotiated by myself, and all negotiated by the Provisional Governor, that have matured, have been paid in full. The immature loans contracted by him amount, in the aggregate, to fifty-three thousand three hundred and thirty-three and one-third dollars, payable in gold or its equivalent in currency. I found the indications clear and cheering that, notwithstanding the great diminution of the material wealth subject to her taxation, her bitter experiences, and her present prostration, our good old State enjoys an honorable and enviable credit. I entertain not a shadow of doubt that, if permitted to enter the money market upon her own merits—the ban of the Federal Government, which beclouds her future, removed—her securities would command more than par in the present circulating medium. Notwithstanding the palpable depression resulting from this cause, (purely political,) I look with confidence to their appreciation, and therefore have avoided, as far as possible, precipitancy in the sale of them. It seemed to be a foregone conclusion, at the money center, that Georgia bonds would be well sold at eighty-five in the hundred, and so it was announced to me. The prompt and decided rejection of all offers below ninety in the hundred speedily brought them to that point, at which, however, no larger amount than pressing necessity required, was sold.

The bonds authorized by the Convention of 1865—amounting to \$500,000 and limited in time to five years—were not well received by capitalists. The time was too short to invite permanent investment, and for that reason unsuited to speculation. The Provisional Governor effected sales of them only to the amount of \$30,000.00. But this difficulty was overcome in a great measure by incorporating in them a provision making them convertible, at the option of the holder, into such bonds, on longer time, as the General Assembly might authorize. The 5th section of the act on this subject,

approved 12th March, 1866, placing the bonds authorized by the Convention, in all respects, on the same footing with those provided for in the preceding sections, fully sustained this expedient. Very cheaply prepared, in a style and with material corresponding to the short existence intended for them, they aided the Treasury materially whilst more available bonds were in preparation. Looking to the substitution of the latter for the former at an early day, I caused bonds to be prepared conforming to the provisions of the act above referred to, as follows:

Under the ordinance of the Convention as qualified	
by the act of the Legislature.....	\$ 500,000
Under the 1st section of the act.....	1,500,000
Under the 7th section to provide for payment of	
the Federal tax.....	600,000
Under 8th section to fund past due bonds and	
coupons.....	830,000
Under 11th section appropriation act to purchase	
corn for the destitute.....	200,000
	<hr/>
	\$3,630,000

The assumption of the Federal tax not having been permitted, and its suspension having dispensed with the necessity for such assumption, the bonds designed for this purpose, though engraved, have not been executed, and are deposited in the Treasury. Being covered, however, by the mortgage on the Western and Atlantic Railroad, the General Assembly may, in perfectly good faith, if deemed advisable, order them executed and issued for any other purpose and without additional expense.

No bonds have been sold at a lower price than ninety cents in the dollar, and very few above it. The Treasurer's report will advise you of the amount sold and the proceeds. It will be necessary to dispose of the entire amount authorized and prepared for sale, whenever a fair price can be obtained; but arrangements have been made which, without increased cost to the State, will obviate the necessity of forced sales below their real market value. The sales not having been completed and the bills for material and work in preparation of the bonds not having been rendered, the expense attending this particular service cannot now be stated.

Evidence having transpired that there are extant, bonds of the State not registered in the Treasurer's office, and of exceedingly doubtful genuineness—and one having been presented for refunding which matured several years since and is marked paid on the registry—it has been deemed necessary to proceed with great caution in the process of funding. All bonds past due are required to be presented for that purpose at the

Treasury, and any coupons past due wherever payable may be funded there. Coupons payable in New York or in London, are fundable in the former city, but all others, only at the Treasury. That business is now in progress at both points.

The amount of bonds authorized to be issued for this specific purpose is \$830,550. Of this amount \$234,000, it was estimated, would be required to refund past due bonds, leaving to be applied to interest due, the sum of \$596,550. The precise amount of past due coupons, then reported to the General Assembly was \$596,000, which added to the amount of past due bonds made an aggregate of \$830,000—showing clearly in my opinion that the General Assembly intended to provide for no interest other than was evidenced by past due coupons. In this view no provision was made for the payment of interest accruing on past due bonds, after their maturity. I know not whether this omission was or was not intentional. It is very true that, under ordinary circumstances, if the holder of such a security fail to present it at maturity for payment, he is held not entitled to interest. This rule has been applied by sundry corporations, private and public, to bonds maturing during the war. I submit to the consideration of the General Assembly, whether such application, under the circumstances, is just and equitable. It is very certain that after Confederate and State Treasury notes had filled up the channels of circulation, the presentation of such bonds for payment in the medium contracted for would have been an idle ceremony. No less certain is it that the holders of many of these bonds were cut off from access to the place of payment by the existing war, and therefore could not make demand. I recommend as more consistent with the honor and dignity of the State that provision be made for the payment of this interest.

Evidence having been presented to this department, that since the last payment by the State on its subscription to the stock of the Atlantic and Gulf Railroad, additional instalments have been paid in by the private stockholders, which by the terms of the act incorporating the company, approved 27th February, 1856, subjected the State to the payment of \$134,500 on her subscription, I have, in obedience to that act, caused to be executed and delivered to the company, bonds of the State for that sum.

When all of the bonds authorized by the act of the General Assembly, approved 12th March, 1866, (except those intended for the assumption of the Federal tax,) shall have been disposed of as contemplated, the funded debt of the State will stand thus:

Bonds issued anterior to 1861 and not yet due....	\$ 2,676,500
Mortgage Bonds issued in 1866, above mentioned	3,030,000
Amount carried forward.....	<u>\$5,706,500</u>

Amount brought forward.....	5,706,500
Bonds issued to the Atlantic and Gulf Railroad in 1866.....	134,500

Total.....\$ 5,841,000

Of this amount \$176,500 will mature in 1868; \$334,500 in 1869; \$164,500 in 1870—making a total of \$675,500. The latter sum, therefore, must be provided for within four years from this time. I recommend that the bonds before mentioned, prepared to meet the Federal tax, but as yet unexecuted, be placed at the disposal of the Governor, with authority to use them as occasion may be presented by sale or exchange if deemed advisable, in redemption of the bonds to mature in and before the year 1870. The public debt will not thus be increased in amount and may be somewhat diminished.

Bonds amounting to \$154,000 will mature in 1871, and others amounting to \$721,500 in 1872, the aggregate being \$875,500 to be provided for in six years.

To meet this and subsequently accruing liabilities I recommend that the sum of one hundred and twenty thousand dollars be annually set apart as a sinking fund accumulative.

If the first class of Bonds (to mature within four years,) be provided for in the manner suggested, and the sinking fund proposed be allowed to accumulate until 1872, at 6 per cent. interest, it will be adequate to the payment of the Bonds maturing in 1871 and 1872. But, if in the then existing financial condition of the State, it should be deemed advisable by your successors to meet the liabilities of 1871 and 1872 by sale of the State's stock in the Atlantic and Gulf Railroad, or by applying any other resource available, at that time, and permit the sinking fund to go on accumulating, the entire debt of the State may, in the progress of time, be easily provided for, and her credit maintained. In urging you to look thus far into the future, and to provide means or initiate a policy for the accomplishment of ends so desirable, I think I but present a case of clear duty. It is true, that during the immaturity of State securities, if the annually accruing interest be faithfully paid, the holders have no legal right to ask more. But I would press upon your adoption the scheme of a sinking fund, as one of the surest props to State credit, and as an act of justice to posterity; and for these reasons, as a great measure of State policy. Its great advantage is, that it distributes the burthen of payment equally over a series of years; and, indeed, the sum to be provided in each year will be so small, as scarcely to merit the appellation of a burthen. Whensoever a large amount shall mature in any one year, without such provision, either the tax payers of that year must be oppressively burthened, or a new debt must be incurred. Should this occur when

money is scarce, it may be difficult, if not impracticable, to place a new loan, thus bringing the General Assembly face to face with the alternative of oppressive taxation or dishonor of the State's obligations. The escape from this dilemma, now proposed, is so easy, that I think it will commend itself to the favorable consideration of the General Assembly. The debt of the United States Government is so large, and her credit sustained by resources so ample, that her outstanding securities will always afford facilities for the investment of the sinking fund and its accumulating interest.

I reiterate the conviction expressed in my first message to you, that the Western and Atlantic Railroad, put in a condition of thorough repair, and furnished with adequate rolling stock, will in the future, with proper management, sustain itself and yield a revenue, which, increased by dividends that may reasonably be expected from the Atlantic and Gulf Railroad, will always render unnecessary, onerous taxation.

The reports of the Treasurer and Comptroller General will furnish you detailed information relative to the finances of the State, and with statistical information of an interesting character. I commend to your serious consideration the suggestions of the latter in reference to amendments of the revenue laws.

The collection of the Federal tax upon lands having been suspended before much progress had been made, I did not feel authorized to suspend that imposed for the support of the State Government. I regret exceedingly that any portion of our fellow-citizens should have been required to pay the Federal tax, but not believing that your legislation contemplated *partial* suspension of the State tax, I could not come to their relief. The State tax, *ad valorem*, is very light, being only one-sixth of one per cent.

The tax upon the sale of spirituous liquors seemed by its terms to embrace the first quarter of the present year, which had nearly expired before the tax was imposed. Being retroactive, the seller was deprived of the opportunity to add the tax to the price, in his sales. Besides, many merchants had during that quarter sold the article for non-residents, on commission, and made final settlements with the owners. Had the tax been exacted of them, it would have exceeded largely their commissions, and subjected them to serious loss, without fault on their part. For these reasons I suspended the tax for the first quarter, and now invite your attention to it.

The people of Georgia have always been lightly taxed, and I see no indications that the State Government will be constrained to make this burthen onerous in the future.

EDUCATION.

The reopening of the University, after an unavoidable suspension, has elicited the most satisfactory evidence of public approval. Many of its most ardent friends entertained the apprehension that causes connected with the war recently terminated, and chief among them the utter impoverishment of some, and the straitened circumstances of others, formerly both able and willing to educate their sons, would occasion such diminution of patronage as would render the effort abortive. The result has been far otherwise. The number of applicants for admission, very respectable at first, has rapidly increased, and is still increasing. There are now matriculated considerably more than one hundred. It offers to the people of Georgia very great educational advantages, whilst the tone of moral and religious opinion and feeling is decidedly high, without the slightest taint of sectarian bias.

We live in an age when educated mind must take a leading part in affairs of State. Any people neglecting to provide either elementary education for the mass, or to afford facilities for obtaining such higher and more extended knowledge as will enable their youth, passing into manhood, to master in due time difficult problems in political economy and in State policy, will assuredly fall behind in the competition of States and nations for superior development.

Prejudices which in former times found voice in our legislative assemblies against liberal education, we may well hope, have been dissipated by experience. Georgia has profited too much by the services of her educated sons, in all departments of public employment, not to see clearly how largely her future prosperity and greatness depend upon the enlightenment of the rising generation. The third clause of the fifth section, second article of the Constitution, clearly indicates that, in the opinion of the Convention of 1865, the present endowment of the University of Georgia is inadequate to its necessities. Mindful of the serious losses our people have recently sustained, and the temporary depression of their material interests, I forbear urging you at this time to increase the endowment. My object in adverting to the subject now is to congratulate you and your constituents upon the good use which is being made of the limited aid heretofore and still extended to this venerable institution, and to ask that her past and present usefulness be accepted as an earnest of the fruit that may be anticipated from a larger endowment in more prosperous times.

There is, however, a measure by which the usefulness of the University may be greatly increased, and a great public trust, now devolved upon the General Assembly, judiciously executed, without imposing any burden upon our impoverished people. A large extent of public lands

belonging to the United States has been, by an act of Congress, devoted to the establishment of agricultural colleges in the several States. At your last session you accepted, for the purpose indicated, such land as might be allotted to Georgia under that act, and your acceptance has been communicated to that Government. This resource can be applied to no other purpose whatever, and the question arises how it can be most advantageously employed for that. If a separate independent institution be established, much expense must be incurred, which might be saved by making it an appendage of your University. The term *University* is expressive of the idea of divers schools and colleges, each devoted to some particular branch of science, and all united under one general government, and constituting a grand seminary of learning. This was the object contemplated in the establishment of the University of Georgia, though the means for its full development have never been furnished. There are now connected with it, quite apart from the ordinary collegiate course, a school of civil engineering, a law school, and a department of agricultural chemistry. As the University is a State institution, and as the agricultural college must also be under State management, I respectfully recommend that the latter be organized as a distinct department of learning in the former, care being taken that the specific endowment now referred to be devoted exclusively to the maintenance of that department.

COMMON SCHOOLS.

There is no subject demanding your attention, of greater importance to the State, than that of Common School education.

In so large a population, there must always be a considerable number, to whom, without government aid, even elementary education must ever remain forbidden fruit. If these be regarded simply in their individuality, their destitution of mental culture must appeal strongly to the sympathies of their more fortunate fellow citizens. But the interest in the subject rises immeasurably when they are looked upon as future members of the body politic, under a constitution, extending general suffrage to male citizens.

A conscientious man, wholly uneducated, always feels much embarrassment in choosing between rival candidates for popular suffrage, and whatever be his natural endowments, and however prominent his virtues, is conscious of his own want of qualification for public service. No plainer proposition can be stated than that a people who govern, ought to be an intelligent people.

Experience has shown that it is difficult to organize and keep in successful operation, a system of Common School education where the population is sparse. But the difficulty

(should not discourage effort. Persistent trial will expose errors and suggest remedies. Even our imperfect system, has, like all other useful enterprises, suffered suspension. I remarked with pleasure, that at your last session, you had raised from your own bodies a joint committee to consider, during your recess, and on your re-assembling, to report upon this great subject. Relying upon their fidelity and ability, as your own chosen depositaries of so grave a trust, I venture upon no suggestions as to details.

It will, of course, occur to you, and will doubtless have commanded the attention of your committee, that the sources whence the fund for this purpose was derived, have almost entirely failed. The Bank Stocks owned by the State, and applied to this object, have been lost. The Western and Atlantic Railroad has yielded no revenue within the past two and a half years—and in all probability, until it shall have thrown off the war-imposed burdens, can do little or nothing for this cause. Its revenues are now pledged to the payment of interest on, and a sinking fund for the public debt, necessarily considerably increased within the past financial year. Notwithstanding all these difficulties, I respectfully suggest that attention to, and provision for this public interest, does not admit of delay. I doubt not that your constituents will cheerfully bear, even now, such contributions as may be demanded of them, to foster it.

THE WESTERN AND ATLANTIC RAILROAD.

I transmit herewith a copy of the Report of the Superintendent of the Western and Atlantic Railroad, accompanied by reports to him of subordinate officers, and sundry tabular statements.

From a careful perusal of these documents, not only general results, but detailed information relative to the different branches of service, and a clear insight into the general management of this important interest, may be readily obtained. The very great improvement made since the road passed under the management of the present superintendent, in the track itself, in the motive power and other rolling stock, and in the general service, whether stationary at the termini and at intermediate depots, or moving with the trains, reflects the highest credit upon him and his subordinates. These documents disclose the facts that reconstruction, renovation and increased capacity to meet the demands of travel and commerce, were required at all points and in all departments, and that large arrearages occurring between the 25th September, 1865, and the 1st of April, 1866, have been met since the latter day. Accidents and losses are now of very rare occurrence, and failures or delays of trains almost unknown.

During the first six months of the year the business of the

road was very large, owing to the fact that many roads in the Eastern line of connection with the Northern cities were not in operation. They, having been put in working order during the spring, have again drawn to themselves much of travel and transportation formerly enjoyed and properly appertaining to them.

This circumstance and a general, though it is believed temporary falling off during the summer months of this business, have greatly curtailed the gross receipts. Should there come a revival in the activity and prosperity of the country, now slowly recovering from the exhaustion of long war, railroad business will revive with them. The location and connections of the Western and Atlantic Railroad, as well remarked by the Superintendent, ensure it a large participation, under any circumstances, in the general travel and transportation, be they great or small. Should the good time hoped for come, there is every indication that this road will be in a condition to do its part in the general service promptly and efficiently. It was estimated when you were last in session, that, to put the road in all respects in thorough working condition, it would be necessary for the State to contribute from half a million to seven hundred thousand dollars. The aid, so far extended, really exceeds very little the sum of three hundred thousand dollars. It will probably be necessary to add to this sum two hundred and fifty thousand dollars, being an aggregate of about five hundred and fifty thousand dollars, moderately exceeding the smallest estimate. To make this further advance, you have already provided the means.

There hangs, however, over the road a heavy debt to the United States Government, contracted in the purchase of supplies and railroad property by the provisional superintendent, for the payment of which a year hence, the faith of the State is pledged. The State of Georgia has a claim upon that Government for the use and occupation of the road and its rolling stock and other items, which may or may not be so far liquidated and acknowledged, by that time, as to be set off against that indebtedness. Every effort will be made to effect a full and amicable settlement, which will ease the State of this burden; but, in any event, the faith of the State must be kept.

Looking to the contingency of this payment having to be made, if it be thrown upon the road no reliance can be placed upon it for revenue to meet the current expenses of the Government during the year upon which we have just entered. The precise amount of this debt has not been ascertained, in consequence of a failure to deliver some of the cars purchased. But, deducting from the whole amount of the invoice, payments made, the remainder will exceed somewhat four hundred thousand dollars.

If authority be given the Executive to make payments upon this debt from time to time, out of any money in the Treasury not otherwise appropriated, (failing all efforts at settlement,) it may be arranged in the course of the year, and the amount of interest meantime gradually reduced. My belief is that if the net profits from the road be even fair, the sum estimated by the Comptroller General, to arise from that source, may be deducted and this debt discharged without creating a new loan.

I concur in the suggestions of the Superintendent, relative to the inadequacy of the salaries of the Treasurer and Auditor. If the ability and skill required to fill those offices properly, and the amount of labor and responsibility attending them be considered, it would seem very clear that the present salaries, in times like these, are not compensatory. I request the General Assembly to give just consideration to this subject.

During the existence of the war authority was given to the Superintendent to issue change bills for a stated amount. Of these there are now outstanding from seventy-five to eighty thousand dollars. That the holders of these change bills are entitled to payment by some rule, can scarcely be questioned. They were not issued with any view to aid in the war, but to relieve the road and the people from one of the inconveniences of the war—the difficulty of making change. For this purpose they were interchanged with Confederate treasury notes in settlements, and the question is, whether they should be redeemed at their nominal value or at the then value of Confederate notes, (on the level of which they stood,) at the time of their issue, or on what other scale? It is a small matter, but the Superintendent, wishing to do what is right, has felt some embarrassment. There is little doubt that they have been to a considerable extent counterfeited, and, therefore, their payment in currency at some set value would be much safer than their absorption for fare or freight on the road. The matter is submitted for your determination.

THE LUNATIC ASYLUM.

One of the most grievous evils to which our race is subjected is the deprivation of human reason. The greatest alleviation of this terrible malady is found in the establishment of asylums for the stricken, where their wants are cared for, their evil propensities and their power for mischief controlled and their disease skilfully treated. Georgia has established one of these institutions, devised by advanced civilization. It is in successful operation; is, I believe, well managed, and is dispensing a noble charity to the indigent, and a more than compensatory blessing to the wealthy, whose misfortunes bring them to its doors. The report of the Superintendent

and Resident Physician will be before you, advising you in detail of its condition and management, its wants and susceptibility of improvement. Your committees of scientific professional men and financeers will look into these subjects with more capacity to enlighten you than I can bring to bear.

On one point, however, I deem it my duty to invite your serious deliberation. The Code requires that persons of color shall be admitted into the institution; but another section of the same Code enjoins it as an imperative duty on the Superintendent to keep patients of the white and African races separate, a provision founded in the wisest sanitary policy. I am informed by the Superintendent and Resident Physician, that with the present accommodations and plan of the building, and the number of white patients there and likely to be there, it is impossible to comply with both requirements of the Code. Something must be done for the enlargement of the building, or colored people must be excluded continuously from it. The latter alternative, allow me to say, should not be contemplated for a moment. The information brought to me, induces the belief that this fearful malady is on the increase among that people. Heretofore accustomed to be cared for, themselves uncaring, they have been free from very many anxieties and responsibilities, which often harrass and craze those in higher social position. Now, suddenly, after many years of irresponsible, unsolicitous life, they find themselves invested with the boon of freedom, coupled with the burthens of self preservation and family provision, whilst their evil propensities, previously kept in check by wholesome home government, are left unbridled. Among them insanity most assuredly will increase. Heretofore when it has occurred, home provision has been made for it, but home, such as they once enjoyed, remains to them no longer. Will the State abandon them to all the miseries, sufferings and perils that wait upon insanity? Humanity to them and safety to the public alike forbid it. Either in the State Asylum or in county poor houses, immediate and efficient provision should be made for the case. Your attention is earnestly requested to it.

THE ACADEMY FOR THE BLIND.

The school for the instruction of unfortunates deprived of the sense of sight, is in successful operation. It is one of those benevolent institutions which commends itself to the support of governments and of individuals. It is truly an interesting entertainment to hear those long shut out from light of day—some of whom never enjoyed its perception—reading fluently and accurately from the Word of Life, or from uninspired though instructive books. This art generally extended to such sufferers, and the number of books

adapted to their use multiplied, how wide a field of enjoyment and improvement will be opened to those otherwise doomed to lives cheerless and almost useless. But it is not alone mental cultivation and literary enjoyment that are put within their reach in this Academy. There are simple branches of manufacture, for which they are entirely competent, if only instructed by those blessed with sight, and which may afford many the means of making a livelihood, who must otherwise depend upon charity. Such instruction is now being imparted in this institution, greatly redounding to the credit of the managers, and increasing its usefulness. The annual report of the Principal will be before you, and to your favorable consideration I commend the institution.

ACADEMY FOR THE DEAF AND DUMB.

In the exercise of the discretion given me by the General Assembly, I have not caused this institution to be reopened. Had it been in operation, I should have felt it a duty so to continue it. But being already in a state of suspension, it would doubtless have required prompt pecuniary aid to enable it to resume its functions. Not until a very late period could such aid have been furnished, nor can it even now without increasing the fiscal embarrassments pressing upon the State. I trust, however, that at the commencement of another year, this may be done, and that it will be the pleasure of the General Assembly to provide for it. This is another of those great humanitarian enterprises which having been undertaken by the State, should not be suffered either to fail or to languish.

INDUSTRIAL PURSUITS.

The failure in agricultural pursuits during the year 1866, resulting in part from the indisposition to steady labor of the freedmen, but chiefly from unpropitious seasons, has doubtless exercised a depressing influence upon the energies of our people. It is to be hoped that they will speedily rally, and rise above despondency. It should be assumed that neither of these causes will prove continuous. It rarely happens, in the dealings of Providence, that two seasons, decidedly unfavorable to the cultivation of the soil, come consecutively, in the same locality. The next may reward the husbandman with abundant harvests.

Nor should the people of the South yield readily to discouragement in regard to the labor of the negro in his new status. All reflecting minds cannot fail to perceive, that the first effect of sudden manumission must be unfavorable to his well-doing and to his well-being. Unaccustomed to caring for himself, he is prone to believe that the freedom with which he has been invested involves freedom from labor,

which was, in his eyes, the distinctive trait in the condition of slavery. It is not to be expected that he would, at once, reason correctly as to his surroundings and prospects, or adopt promptly the reasoning of the late proprietary race. Experience alone can teach him wisdom, and what her teaching will be is not a subject of speculation; we all know what that will be. In addition to all this, there is abundant evidence that he has indulged most extravagant and unfounded expectations of benefits to be conferred upon him by the Federal Government. He has expected from that source a free grant of land in his own right, and has been indisposed to cultivate the land of others. If driven to it by present necessity, he has regarded it as a temporary expedient, and went to work predisposed to shirk it. Time will dissipate these delusions. It would be both just and kind to wait for and to assist his awakening from them. Many who have hurried into courses of vice and crime, will probably prove irreclaimable. These must be committed to a just and impartial administration of the law, as is practiced with the vicious of our own race. But the great mass of these people, under good influences, may be made useful to themselves and to the country.

The planting interest in Georgia can never again be what it has been. Few, if any, will be able to prosecute it on as large a scale as some have done in the past. But agriculture must continue to be the chief industrial pursuit of the State. The return of prosperity will only be retarded by inconsiderate abandonment of it under a feeling of despondency. So far as the great staple for export is concerned, many will probably be surprised at the pecuniary results, even in this disastrous year. The price of the article will be more than three fold that of the average of former years, whilst the product, in weight, will be fully one-third of that realized in those years. We cannot derive the same consolation, to the full extent, regarding the provision crop. That will fall short of the quantity required to subsist the people of the State; and whilst those who combined with it the cultivation of cotton, will be abundantly able to supply the deficiency, the poorer classes, who were never accustomed to produce more than a livelihood, will be greatly straitened. But such has been always their experience under like circumstances, and they must be helped, as heretofore, by those more favored. Surely it will be so. Especially should the creditor class favor the debtor thus unfortunately situated. He who, under such circumstances, would coerce payment, by legal compulsion, beyond his positive necessities, would be a monster, even in the family of Mammon.

Good policy and wise forecast undoubtedly require diversity of pursuits. Resources, other than agricultural, which

are abundant in Georgia, should be developed. And there are those who have pecuniary ability, without adaptation to husbandry; and others who have brain, or bone and muscle, or all combined, who have neither land nor the means of purchasing it, to whom these other fields of enterprise are especially inviting. But agriculture is at last the leading and the most desirable pursuit, and those having experience in it, or adaptability to it, combined with the possession of land or the means to purchase it, should struggle with all possible energy and persistence to overcome all obstacles to success. In view of material prosperity, the most gloomy picture of these gloomy times is productive land lying fallow. Let all holders of arable land cultivate the freedman, in order that he may cultivate the soil, to the great advantage of both parties. And if, at last, he prove untractable and unavailable, let the pauper population of other countries be sought after. But, come what may, let our broad acres be tilled. There lies, for us, the broadest, and deepest and most reliable source of subsistence and of wealth. Whatever the General Assembly can do to encourage and foster this branch of industry, I earnestly urge upon them. They are themselves chiefly of this class, and may be supposed to comprehend its wants. At the same time, doubtless, they will be disposed to do all they can legitimately to promote the introduction and development of other industrial pursuits.

THE PENITENTIARY.

The Penitentiary of the State has been this year passing through a trying ordeal. Subjected during the war to the torch of an invading army; at the commencement of the present political year it was in a state of great dilapidation—scarcely an available tenement on the premises, its workshops destroyed, the large cell-building roofless, and otherwise injured—everything wearing the aspect of ruin, with no funds, and few convicts to aid in the work of reconstruction. The appropriation made for repairs and for support of the institution was, in my estimation, very inadequate to its necessities. Yet, I think those who will charge themselves with personal inspection will find that, by economy, energy, and a wise use of limited means, very much has been accomplished in the way of renovation. The cell-building, essential to the safe-keeping of the inmates, has been put in excellent condition; some workshops have been constructed; the tannery and shoe manufactory have been put in good working order; a large eating-room, with kitchen and smoke-house appurtenant, has been built *de novo*; the barracks for the guard have been made not only habitable, but comfortable; the steam engine has been repaired and made subsidiary to many useful purposes, and the *debris* of the fire has disappeared. There re-

main ruins not removed, because susceptible, at moderate expense, of useful renovation. As a Georgian, I regret to add another evidence of its prosperity as an institution, viz: the large increase in the number of its inmates. I willingly bear testimony to the fidelity and ability with which the Principal Keeper and his assistants have discharged their duty. The Report of the former will be before you. Your committees will scrutinize it, inspect the premises, and look into the general management of the institution. I deem it unnecessary to reiterate the views presented to you in my first message relative to its continuance as a State institution, and the extension to it of such fostering care as its necessities may require.

In conformity with a resolution of the General Assembly, Messrs. Howell Cobb, Mark A. Cooper, and John H. Fitten, were appointed commissioners "to examine and report upon the propriety of removing the present Penitentiary and locating it elsewhere, or of establishing an additional one." Their report has not yet been received, but, I am informed, will be soon presented. When received, it will be transmitted; and until then I reserve any other views I may desire to present on this subject.

THE CHAIN GANG.

By an act of the General Assembly, entitled "An Act to alter and amend the Penal Code of Georgia," approved 20th March, 1866, a large number of offences, previously treated as felonies, were reduced below that grade, and were made punishable, in the discretion of the Judge, by sentence, "to work in a chain gang." And by another act, entitled "An Act to regulate the manner of convicts laboring upon public works, and to define the powers and duties of the Inferior Court and Governor of the State, touching the same, and for other purposes therein mentioned," (approved on the same day,) it was left discretionary with the Inferior Courts of the several counties to employ such convicts on the public works of the county, or to report them to the Governor, to be otherwise employed. When so reported, it was made the duty of the Governor to send a guard for them, and to employ them diligently on the Western and Atlantic Railroad, or upon such other public works or improvements as he might judge to the best interest of the State, and as shall best subserve the ends of justice. Sentences of this character have been very numerous, and in nearly all cases, the Inferior Courts, declining to employ them in the counties wherein they were convicted and sentenced, have reported them to the Executive.

The performance of this duty has been attended with great difficulty, embarrassment and expense. I made early exami-

nation into the practicability of employing these convicts safely and advantageously on the Western and Atlantic Railroad, and became thoroughly satisfied, that, although such labor might be very profitably used in constructing a railroad where there were excavations and embankments to be made, it was entirely unadapted to any work to be done on a railroad finished and in operation. In ordinary employment, as depot or train hands, or track-men, or in any other work of which they are capable, they require more freedom of action and more dispersion than would be compatible with secure confinement, without employing almost as many guards as laborers. That, therefore, was not available. There are no established public works, except within the walls of the Penitentiary, where mechanical arts are chiefly prosecuted. For these, the term of punishment usually prescribed for chain gang convicts is too short, and in them convicts sentenced for felonies can be more profitably employed for the State and for themselves. The expense of transporting them to the seat of government is very heavy. It sometimes happens, and may often occur, that a guard is sent from the seat of government to a county most remote from it, for a single chain gang convict, and within a month has to be sent to the same or an adjoining county for another, and, perhaps, neither may have been sentenced for more than sixty days. When brought here, there are no pre-arranged facilities for employing, keeping or guarding them. To overcome these difficulties, I have connected this branch of the public service more or less closely with the operations of the Penitentiary. This made the transportation cheaper, because often the same guard would bring convicts of felonies and convicts of misdemeanors. Within the walls of the Penitentiary, I have also found it cheaper and safer to confine them at night; and whenever their labor could be employed profitably to the Penitentiary, I have caused it to be so used, and have charged that institution with it. At the same time, I have been compelled to impose upon it the lodging, guarding and subsistence of them, and of course to allow reasonable compensation for them. They have been, as far as practicable, employed in out-door work—in doing, carrying and lifting, necessary in the repairs on the Executive mansion and State House, in clearing away the ruins of the demolished Arsenal; in improving the grounds of the Public Square, in improving the streets of Milledgeville at very moderate hire, in making brick in the Penitentiary brick-yard, in quarrying granite, which may be useful to the State, or saleable. But as the number increases—and it does so rapidly—the difficulty of employing them and the incidental expense increases disproportionately. If the policy of throwing them upon the hands of the Executive be continued, it is indispensably

necessary that some regular continuing public works, adapted to their capacity, be inaugurated, and that a system be adopted for this whole service. I recommend, however, that their employment upon the public roads of the several counties, and in making brick for the erection of court houses and jails, and in building bridges, be made compulsory upon the Inferior Courts of the several counties. There is open to those Courts a wide field for their employment, in every county, which, with good management, could be made highly advantageous to it. Nothing more is wanting than a spirit of enterprise and improvement. The roads and bridges of the State, with rare exceptions, are proverbially bad. In many counties, court houses are wanted; and, in a vast majority, safe and commodious jails. Here is an opportunity to command free labor for such useful purposes. Many shrink from it, because, in the beginning, the laborers are too few to be profitably employed. But the indications are, that this would be only temporary. An efficient gang once made up would undoubtedly be maintained as regards numbers. Where it became necessary, provision might be made for consolidating the gangs of two or three adjoining counties, and working them alternately in the one and the other.

After much reflection and a little experience, I am satisfied of three things. 1st. That owing to the short terms of punishment, no general system of State employment of these convicts can be devised which will at all compensate for the expense of transporting, subsisting and guarding them. 2d. That the employment of them in the counties where convicted can be made to relieve the planting interest generally of an onerous public service, (the working of the roads) and in every way largely beneficial to the counties. 3d. That nothing short of legal compulsion will induce the courts of the counties to embark in the enterprise.

This subject, in my judgment, demands the serious consideration of the General Assembly.

MAIMED SOLDIERS.

Considerable delay has, I regret to say, attended the completion of arrangements for the supply of artificial limbs to maimed soldiers. No general inconvenience, however, has resulted from it, in consequence of tardiness in returns made to the Comptroller General; less than one hundred applications having been made by the first of September, of which one-fourth were informal, and only about one-half the counties having been yet heard from.

I appointed as a board of surgeons to examine specimens of various patents which were put in competition for the work ordered by the General Assembly, Drs. L. A. Dugas, H. H. Steiner and L. D. Ford, of Augusta, having personal know-

ledge of their professional attainments and skill, and believing that the examinations and consultations could be made with more deliberation and less delay by selecting those resident in the same place.

A call was also made through the gazettes, as directed in the act, for proposals from manufacturers exhibiting specimens, which elicited quite a number. Considering together these proposals, the report of the surgeons upon the relative merits of the limbs submitted to their examination, and the directions given in the first section of the act as a guide to the Executive, it was very clearly my duty to accept the offer of Dr. Douglass Bly. To him, therefore, the contract was awarded, and it has been duly executed; he naming Macon as the central point where the limbs were to be fitted. The price of these limbs will be seventy dollars for each leg and for each arm where the amputation was above the elbow, and forty dollars where it was made below that joint.

The report of the Comptroller General will inform you of the whole number of applications that have been made and of the probable total. The sum required to supply all applicants who bring themselves within the provisions of the act, will probably somewhat exceed the appropriation made, but it will doubtless be your pleasure to increase it so as to leave none destitute. Adequate information will probably be at your command in time to act.

From information collected, I am satisfied that the benefit to be derived by the wearer of this admirable invention, will depend mainly upon himself. Early experience in the use of the most perfect and best adapted artificial limb will be disappointing, but proper caution and perseverance will so familiarize the wearer with its action, as to make it speedily a wonderfully useful substitute for the lost member. It is to be hoped that the brave men who have suffered mutilation will, by the exercise of patience, care and persistence, derive all the benefit you have designed for them.

CORN APPROPRIATION.

After careful enquiry I became satisfied that corn could be most advantageously supplied to the destitute under the appropriation of the last session by sending an agent to the Northwest, and that St. Louis was the best point for his operations. Colonel Maddox was accordingly appointed and dispatched so soon as the necessary funds could be obtained. Through the liberality of companies engaged in transportation by steamboat and railroad between St. Louis and Chattanooga, half freights only were charged for bringing this corn to the western terminus of the State road—which enabled me to expend in the purchase at least \$35,000 more than could otherwise have been done. The different railroad companies of this

State, with their accustomed public spirit in the furtherance of good works, have done their part in the transportation with promptness and fidelity, free of charge. To avoid delay I appointed Colonel Peterson Thweatt, Agent, to receive the corn at Chattanooga and to distribute it to the counties, thus carrying on the purchase and distribution simultaneously.

The Superintendent and other officers and agents of the Western and Atlantic Railroad have also materially aided the operation. The purchasing and distributing agents have displayed a high degree of business capacity, promptness, and fidelity in the discharge of their duties. The result is, the purchase and distribution in round numbers of 185,000 bushels of corn, being four and a half bushels to each beneficiary reported, at a cost (all expenses included) a little less than one dollar per bushel. There are some items not yet reported, which prevents a more precise statement, but when all expenses shall have been paid, there will remain in the Treasury, of this appropriation, about \$15,000. Reports of the agents accompany this communication.

I cannot close this subject (relief to the destitute and suffering people of Georgia,) without making this public acknowledgment of certain noble benefactions from the charitable of other States, (partly in provisions and partly in money,) which have been and are being distributed through my instrumentality. In these munificent charities the noble women of our country have, as usual, been the chief actors. Ladies' Southern Relief Associations of Baltimore, of St. Joseph, Mo., and of Woodford, Ky.; the Florissant Southern Relief Association of St. Louis, Mo., and citizens of St. Louis, Mo., acting through a committee, are the doers of these good works. We can give them only our poor thanks. May He who is love, and who loveth a cheerful giver, bestow upon them a better reward.

PUBLIC BUILDINGS AND GROUNDS.

The State House has been re-roofed, and, I trust, made secure against leakage; and the legislative halls have been renovated. Water has been introduced into the building, and arrangements are in progress to light the halls with gas, both of which improvements will tend to diminish the risk of fire to the building. The cupola is represented to be in an unsafe condition, requiring some repairs which could not be made with the existing appropriation. For this reason I have not had the clock repaired which stands within it, and could not be expected to run well until those repairs shall have been made. The Executive Mansion has been put in secure and comfortable order; but, owing to the high prices of furniture, material, labor and freights, and the discovery of greater decay and dilapidation than was anticipated, the

appropriation proved insufficient for the object, and the excess has been paid out of the contingent fund, of which, notwithstanding other unexpected drafts upon it, there remains a considerable unexpended balance. I refer you, for detailed report and suggestions, to the accompanying report of the engineer in charge.

EXECUTIVE DEPARTMENT.

My experience in this Department induces the belief that two Secretaries will be adequate to its business. I dispensed with the services of the additional Secretary employed during your last session very soon after your adjournment. If, however, the duties be performed by two, as I think they can be by the present efficient incumbents, their labors will be arduous; and this, together with the very great cost of living at this time, entitles them to a moderate increase of salary. There will be economy in employing two capable Secretaries, with good salaries, rather than three less competent, at lower salaries. Their duties are also exacting, and do not admit of uniting other avocations with them.

CONCLUSION.

Whilst our political relations are so unsettled, and so few gleams of hope come to us from the future, there are a few things especially incumbent upon us.

1st. It becomes us to cultivate among ourselves unity of feeling, of opinion, and of action; unity among the people, unity among the Departments of Government.

2d. Our interest lies in eschewing political excitement, studiously avoiding all conflict with authorities unchosen by us, but placed over us, and employing our active energies in rebuilding our own waste places and developing our neglected resources. Whilst others rage and wrangle over ephemeral issues, let us be busy with the real, abiding concerns of life. Thus shall we emerge from this period of ostracism, wiser, more thriving, and more respected than ever.

3d. It behooves us, above all, to keep ourselves in proper relation with the Supreme Ruler of the Universe. To this end, it is right and proper that, on a day to be appointed, our whole people should simultaneously prostrate themselves before the Throne of Grace, rendering thanks for blessings enjoyed, imploring forgiveness for errors committed, and seeking light to guide us on our rugged, darkened way. I have refrained from inviting such a proceeding, believing that, in our extremity, it is more fitting that the movement be made by the immediate representatives of the people. I will cheerfully do your bidding, and heartily co-operate in proclaiming and observing a solemn Christian holocaust for suffering Georgia.

CHARLES J. JENKINS.

Mr. MOORE reported the following resolution, which was read and agreed to, to-wit:

Resolved, That two hundred and fifty copies of the Annual Message of his Excellency, the Governor, be printed for the use of the Senate.

Mr. GRESHAM reported the following resolution, which was read and agreed to, to-wit:

Resolved, That the several parts of the Annual Message of his Excellency, the Governor, just read, be referred to the appropriate standing committees.

The death of the Hon. WILLARD BOYNTON, ex-Senator from the 12th District, having been announced, on motion of Mr. O. P. BEALL, a committee of three were appointed to draft appropriate resolutions in honor of the memory of the deceased, which committee consists of Messrs. O. P. Beall, Butler, and O. L. Smith.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

FRIDAY, November 2d, 1866.

THE SENATE met pursuant to adjournment, and was opened with prayer by the Rev. Mr. YARBROUGH.

On motion of Mr. J. F. JOHNSON, the rules were suspended for the introduction of new matter.

Mr. BLACK submitted a memorial in reference to a revision of the Code, which was referred to the Committee on the Judiciary.

Mr. BLOUNT introduced the following bills, which were severally read the first time, to-wit:

A bill to incorporate the Savings Bank of Lumpkin.

A bill for the relief of Nancy A. E. Baldwin, of Stewart county.

A bill to regulate the sale of spirituous liquors in Stewart county.

Mr. BUTLER reported the following resolution, to-wit:

Resolved, That the Secretary be directed to have printed one hundred copies of the rules of the Senate, and Standing Committees, for the use of the Senate.

On motion, the rules were suspended, and the resolution was taken up, read, and agreed to.

Mr. GRESHAM reported the following resolution:

Resolved, by the Senate and House of Representatives, in

General Assembly met, That hereafter, in the sale or exchange of the bonds of this State, authorized by law, the Treasurer be authorized and required to receive the past due bonds, and coupons on bonds of the State of Georgia, at par, on the same terms with United States currency.

Mr. GRESHAM introduced a bill to extend the aid of the State to the completion of the Macon & Brunswick Railroad Company, and for other purposes, which was read the first time.

Mr. DALEY introduced the following bills, which were read the first time, to-wit :

A bill to repeal an act approved the 4th of March, 1856, to compensate the Grand and Petit Jurors of the county of Tattnall, and to repeal an act approved on the 4th of March, 1856, to authorize the Inferior Court of Tattnall county to levy an extra tax for the purpose of paying the Grand and Petit Jurors of Tattnall county ; also,

A bill to repeal the act approved on the 17th day of March, 1866, to organize a County Court, define its jurisdiction, and for other purposes.

Mr. J. A. W JOHNSON reported the following resolution :

Resolved, by the General Assembly, That a Joint Committee, consisting of three from the Senate and five from the House, be appointed to take into consideration the practical workings of the County Court, and report by bill or otherwise as to the abolition of said Court, or such modifications as will relieve the Court of the most weighty objections to it.

Mr. MOORE reported the following resolution :

Resolved, That a committee of three be appointed by the President to examine the documents accompanying the Governor's Annual Message, and report such as they may deem important to be printed for the use of the Senate.

On motion, the rules were suspended, and the resolution was taken up, read, and agreed to. The committee appointed under the above consists of Messrs. Moore, Mims, and J. A. W Johnson.

Mr. O. L. SMITH introduced—

A bill to detach the county of Lowndes from the Southern Judicial Circuit, and add the same to the Brunswick Judicial Circuit, which was read the first time.

Mr. SIMMONS introduced—

A bill to declare certain persons competent witnesses as in the act set out, and for other purposes, which was read the first time.

Mr. STROZIER introduced the following bills, which were severally read the first time, to-wit :

A bill to repeal portions of sections 3,499 and 3,500 of the Code, and for other purposes.

A bill in relation to juries.

A bill to organize and establish additional Judicial Circuits.

Mr. VANDUZER introduced—

A bill to amend an act incorporating the town of Elberton, approved 19th February, 1866, by giving additional powers to the Town Council of said town, which was read the first time.

Mr. O. L. SMITH reported the following resolution :

Resolved, That seats on the floor of the Senate be tendered to Major George Stapleton and General A. R. Wright during their stay in the city.

On motion, the rules were suspended, and the resolution was taken up, read, and agreed to.

The following message was received from his Excellency, the Governor, by Mr. Hunter, his Secretary, to-wit :

Mr. President : I am directed by the Governor to return to the Senate, in which they originated, the following acts, to-wit :

An act to exonerate Sheriffs and their Deputies, and other collecting officers, from liability in certain cases.

An act to incorporate the "American Industrial Insurance Company."

An act to donate the Okefenokee Swamp lands, belonging to the State of Georgia, as a permanent endowment to the "Georgia State Orphan Home," with a communication in writing.

Mr. BUTLER, from the committee appointed to draft resolutions in reference to the death of the Hon. WILLARD BOYNTON, ex-Senator from the 12th District, reported the following resolutions :

Resolved, That the Senate has received, with profound sensibility, intelligence of the death of the late Hon. WILLARD BOYNTON, Senator from the 12th District.

Resolved, That in his death the State has sustained a great loss, the Senate a wise and patriotic member, society a useful and eminent example, the cause of morality and religion a faithful teacher and defender.

Resolved, That the Senate will pay proper respect to the memory of the honored dead, gratefully remember his many virtues, and deeply sympathize with his bereaved and afflicted family.

Resolved, That these resolutions be entered on the Journal, and that a copy of them be forwarded by the Secretary to the family of the deceased.

On motion of Mr. MOORE, the rules were suspended, and the resolutions were taken up, read, and agreed to.

In respect to the memory of the deceased, on motion, the Senate adjourned until to-morrow morning at 10 o'clock.

SATURDAY, November 3d, 1866.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Yarborough.

Mr. O. P. BEALL reported the following resolution :

Resolved, That the reporters of newspapers be invited to seats within the bar of the Senate chamber, and the Door Keeper instructed to prepare seats accordingly.

On motion, the rules were suspended, and the resolution was taken up, read and agreed to.

On motion of Mr. REDDING, the message from his Excellency, the Governor, transmitted on yesterday, was taken up and read, as follows :

EXECUTIVE DEPARTMENT,
Milledgeville, Georgia, November 2d, 1866.

To the Senate :

I felt it my duty to withhold my approval from an An Act originating in your body, at the last session of the General Assembly, which came too late to be returned before your adjournment, entitled "An Act to exonerate Sheriffs and their deputies, and other collecting officers, from liability in certain cases." Either the officers, in the cases described in this Act, had done their duty under the law as it existed when the cases occurred, or they had not. If they had so done, doubtless the Courts would protect them. If they had not, some party must have sustained injury, and was entitled to redress. To take away the remedy after the injury was complete, under the law, and forbid the Courts to give redress, would be retroactive legislation, injuriously affecting the rights of such party, and, so, would conflict with the Constitution.

I also return herewith, unapproved by me, to your body, in which it originated, "An Act to incorporate the American Industrial Insurance Company." I have observed that the General Assembly, in granting charters to monied associations during their late session, were usually very careful to limit the amount of capital to be employed. This seems to me to be a very salutary precaution. There is, in the history of Georgia

legislation, abundant precedent for it. Indeed, it may be said to be a settled policy.

In the Act above referred to, there is no such limitation, although the powers conferred are very broad, and the field of operation very extended. Whilst useful enterprises, to be carried out by associated capital, should be liberally encouraged, care should be taken not to confer on them too much power. Believing, for the reasons stated, that the limitation referred to was accidentally omitted, I have deemed it proper to return the Act unsigned, and invite your reconsideration of it.

I also return to the Senate, in which it originated, "An Act to donate the Okefenokee Swamp lands, belonging to the State of Georgia, as a permanent endowment to the Georgia State Orphan Home," without my approval. The Act makes a donation of land to a person, and there is no evidence before me that it was passed by a vote of two-thirds of each branch of the General Assembly, as required by the Constitution. I do not think it makes any difference, that it is a donation to an artificial person. The prohibition applies as well to donations to artificial as to natural persons. Having given my reason for vetoing the Act, I will add, that the lands proposed to be given are either of no value, or they are of immense value. If capable of drainage and of successful cultivation, they will, whenever judiciously sold, yield money much exceeding in amount any reasonable endowment of this institution. I merely suggest, that it might be wiser for the State to dispose of them, and from the proceeds liberally endow "The Home." I earnestly wish success to the institution; and if it be the pleasure of the General Assembly to make the donation in the manner prescribed by the Constitution, I will promptly acquiesce.

CHARLES J. JENKINS.

Mr. BLOUNT introduced a bill to incorporate the Lumpkin Manufacturing Company.

Also, a bill to incorporate the Lumpkin Porcelain Manufacturing Company, which were read the first time.

Mr. BUTLER introduced a bill for the relief of Annie Adams, which was read the first time.

Mr. CARTER introduced a bill to reduce the Sheriff's bonds of Butts and Pike counties, which was read the first time.

Mr. ENGLAND introduced a bill to prevent the distillation of cereals into spirituous liquors until the next meeting of the General Assembly, and for other purposes, which was read the first time.

Mr. EZZARD introduced a bill to amend an act to fix the amount of compensation the members and officers of the

General Assembly shall receive for their services, until otherwise altered by law, which was read the first time.

Mr. J. F. JOHNSON introduced a bill to enable the Justices of the Inferior Courts of the several counties of the State of Georgia to raise funds to build their Court Houses and Jails, where they have been destroyed by the Federal army, which was read the first time.

Mr. OWENS introduced a bill to authorize the collection of any rate of interest on contracts which may be agreed upon, and for other purposes, which was read the first time.

Mr. STROZIER introduced the following bills, which were read the first time, to-wit :

A bill to amend the charter of the city of Albany.

A bill to amend section 3401 of the Code.

Mr. O. L. SMITH introduced a bill to provide for an election by the citizens of Bartow county to settle the question of the location of the county site, which was read the first time.

Mr. VANDUZER introduced the following bills, which were read the first time, to-wit :

A bill to amend the law in regard to effecting service of bills in equity, to marshal the assets of estates of deceased persons.

A bill to repeal an act to amend section 3320 of the Code of Georgia, approved February 21st, 1866.

A bill to amend section 3188 of the Code.

Mr. EZZARD submitted a memorial from the citizens of Forsyth county, in relation to certain judgments rendered by the Inferior Court of the same, which was read and referred to the Committee on the Judiciary.

Mr. O. L. SMITH reported the following resolution :

WHEREAS, There is a conflict of the Code in relation to the time of electing a State Printer, and the present State Printer having been elected, as he supposed, for two years, and made his preparations accordingly, and there being a seeming incongruity in coming before the same body for re-election ; therefore, for the purpose of settling the question,

Be it Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, That the present State Printer is entitled to hold his office for two years, in accordance with provisions of the Code in section 1283.

Mr. TURNER introduced a bill to repeal section 940, and to strike out and insert words into the 941st section of the Code, which was read the first time.

Also the following resolution, to-wit :

WHEREAS, Since the last session of the General Assembly,

unforeseen occurrences have transpired in the dispensation of an allwise Providence, in that He has parched our fields and blighted our crops, and the honest and never more earnest efforts of the husbandman have been very unsuccessful; *and whereas*, the people of the State have been in great fear lest creditors should, with the strong arm of the law, seize the little property remaining since the disasters of the war; *and whereas*, further, this fear has caused the people of many counties to assemble in "relief meetings," and give expression to their wishes and inclinations, and also to instruct their legislators in regard to their desires and necessities, which is eminently legitimate.

Be it therefore Resolved by the General Assembly, That the unfortunate condition of the people is fully appreciated by their representatives.

Resolved, 2dly, That it is the sense of the Legislature that the rights and interests of both debtor and creditor should be equally protected, and that, while the debtor should keep sacred his contracts, the creditor should not, in the present impoverished condition of the country, force to sale the property of poor but honest men; and earnestly recommend that both classes of citizens act in the spirit of the golden rule, of doing to others as they would wish that others, under similar circumstances, should do to them.

Resolved, 3dly, That the General Assembly would respectfully point to the example of the Northern merchant magnanimously adjusting his claims with the Southern debtor, as worthy of the emulation of Southern people in compromising their own claims, and that such an equitable compromise can be effected more satisfactorily to the debtors and creditors themselves than by any legislative action.

Resolved, 4thly, That we still have an abiding confidence in the integrity of the people of the State of Georgia, and that they are determined to maintain unsullied their good name at home and abroad, if they are permitted so to do.

The Senate took up the resolution in reference to the appointment of a joint committee to consider the practical workings of the County Court.

On motion, the resolution was agreed to, and the Secretary was directed to transmit the same forthwith to the House of Representatives.

The committee appointed under the foregoing resolution consists of Messrs. J. A. W. Johnson, Vanduzer and Bower.

The following bills were taken up and severally read the second time, to-wit:

A bill to regulate the sale of spirituous liquors in Stewart county.

A bill to amend an act incorporating the town of Elberton,

approved 19th February, 1866, by giving additional powers to the Town Council of said town.

The following bill was read the second time and referred to the Committee on Internal Improvements, to-wit:

A bill to extend the aid of the State to the completion of the Macon & Brunswick Railroad, and for other purposes.

The following bills were read the second time, and referred to the Joint Committee on County Courts, to-wit:

A bill to repeal an act, approved on the 17th day of March, 1866, to organize a County Court, define its jurisdiction, and for other purposes.

Also, a bill to establish six additional judicial circuits.

The following bill was read the second time and ordered to be engrossed, to-wit:

A bill to detach the county of Lowndes from the Southern Judicial Circuit, and add the same to the Brunswick Judicial Circuit.

The following bill was read the second time and referred to the Committee on Banks, to-wit:

A bill to incorporate the Savings Bank of Lumpkin.

The following bills were read the second time and referred to the Judiciary Committee, to-wit:

A bill for the relief of Nancy A. E. Baldwin, of Stewart county.

A bill to repeal an act approved on the 4th day of March, 1856, to compensate the Grand and Petit Jurors of the county of Tattnall; also, to repeal an act approved on the 4th day of March, 1856, to authorize the Inferior Court of Tattnall county to levy an extra tax for the purpose of paying the Grand and Petit Jurors of Tattnall county.

A bill to declare certain persons competent witnesses, as in the act set out, and for other purposes.

A bill in relation to juries.

A bill to repeal portions of sections 3499 and 3500 of the Code, and for other purposes.

The Senate took up the resolution in reference to the bonds of the State.

Mr. GRIFFIN moved that the same be referred to the Finance Committee, which motion was lost.

On motion of Mr. MOORE, the resolution was laid on the table for the present.

On motion of Mr. O. L. SMITH the resolution in reference to the election of State Printer was taken up and referred to the Committee on the Judiciary.

Mr. MOORE, chairman of the special committee appointed to examine and select such of the documents accompanying

the Annual Message of his Excellency, the Governor, made the following report :

Mr. President : The special committee appointed to examine the documents accompanying the Annual Message of his Excellency, the Governor, and to select such as, in their opinion, should be printed for the use of the Senate, have made an examination, and recommend that the annual reports of the Comptroller General, State Treasurer, Officers of the Western & Atlantic Railroad, and Principal Keeper of the Penitentiary, be printed; and to carry out their recommendation, the committee direct me to offer the following resolution, to-wit :

Resolved, That two hundred and fifty copies of the Annual Report of the Comptroller General, and one hundred copies each of the Annual Reports of the State Treasurer, Officers of the Western & Atlantic Railroad, and Principal Keeper of the Penitentiary be printed for the use of the Senate.

On motion of Mr. MOORE, the resolution was taken up, read and agreed to.

Leave of absence was granted to the Senator from the 3d district, and also to the Senator from the 22d district, for a few days.

On motion of Mr. J. F. JOHNSON, the Senator from the 30th district was added to the Committee on the Judiciary.

Mr. OWENS reported the following resolution, which was read and agreed to, to-wit :

Resolved, That one hundred copies of the Constitution of the State be printed for the use of the Senate.

On motion, the Senate adjourned until Monday morning at ten o'clock.

MONDAY, November 5th, 1866.

THE SENATE met pursuant to adjournment, and was opened with prayer by the Rev. Mr. BROOKS.

Leave of absence was granted to the Senator from the 13th District, for a few days.

On motion of Mr. OWENS, the proposed amendments to the Constitution of the United States were taken up and referred to the Committee on the State of the Republic.

On motion of Mr. O. L. SMITH, the rules were suspended for the introduction of new matter, and the following bills were introduced and read the first time, to-wit :

By Mr. BOWER—

A bill to incorporate the city of Bainbridge, in the county of Decatur, and the acts amendatory thereof.

By Mr. EZZARD—

A bill to reduce and fix the salaries of all civil officers therein named ; also,

A bill to alter and amend the first section of an act passed over the veto of his Excellency, the Governor, by a vote of two-thirds, March 6th, 1866, entitled an act for the relief of the people of Georgia, and to prevent the levy and sale of property, under certain circumstances and within a limited period.

By Mr. SIMMONS—

A bill to alter and amend an act to organize a County Court, approved March 12th, 1866.

By Mr. TURNER—

A bill to change section 2500 of the Code of Georgia. .

By Mr. STROZIER—

A bill for the relief of Albert Fields, and to legalize his marriage with Caroline C. Floyd, of Dougherty ; also,

A petition from Albert Fields, accompanying the same.

Mr. O. L. SMITH reported the following resolution :

Resolved, That each member of the Senate be furnished with a copy of the Acts and Journals of the last session of this General Assembly.

On motion, the rules were suspended, and the resolution was taken up, read and agreed to.

Mr. QUILLIAN reported the following resolution :

WHEREAS, The copies of the decisions of the Supreme Court and other books heretofore furnished to the counties of Fannin and Pickens were destroyed by the soldiers of the Federal and Confederate armies,

Resolved by the Senate and House of Representatives, That the decisions of the Supreme Court, five copies of Hines' Forms, five copies of Cobb's Statutes and Forms, and one copy Reese's Manual, be furnished for the use of the officers of Court for the said counties of Fannin and Pickens.

The following message was received from the House of Representatives, through Mr. WADDELL, the Clerk thereof:

Mr. President: The House of Representatives have concurred in a resolution of the Senate providing for the appointment of a joint committee to take into consideration the practical workings of the County Court, and report by bill or otherwise. The committee on the part of the House are Messrs. Ridley, Russell, of Muscogee, Pottle, Morris, of Franklin, and Ford.

Mr. MOORE, from the Committee on the Judiciary, made the following report, to-wit:

The Committee on the Judiciary, to whom was referred certain bills, have had them under consideration, and direct me to report thereon as follows:

A bill to be entitled an act for the relief of Nancy A. E. Baldwin, of Stewart county, which they propose to amend by striking out the words in the first section, "*intermarriage between her and,*" and inserting in lieu thereof the words, "*divorce granted to,*" and being so amended, they recommend that the bill do pass.

Also, a bill to be entitled an act in relation to juries, which they recommend do pass.

Also, a bill to be entitled an act to repeal an act, approved on the 4th day of March, 1856, to compensate the Grand and Petit Jurors of the county of Tattnall; also, to repeal an act, approved on the 4th day of March, 1856, to authorize the Inferior Court of Tattnall county to levy an extra tax for the purpose of paying the Grand and Petit Jurors of Tattnall county, which they recommend do pass.

Also, a resolution in reference to the election of State Printer, which they recommend do not pass, as section 940 of the Code declares that the State Printer shall be elected *annually*.

B. B. MOORE, *Chairman*.

The Senate took up the report of the Committee of the Whole on the bill to amend an act to regulate the sale of spirituous liquors in the county of Stewart, approved December 19th, 1859.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill in relation to juries.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the committee on the bill for the relief of Nancy A. E. Baldwin, of Stewart county.

The Committee on the Judiciary, to whom this bill was referred, propose to amend by striking out the words in the first section, "*intermarriage between her and,*" and inserting in lieu thereof the words, "*divorce granted to,*" and with this amendment, they recommend the passage of the same.

On motion, the amendment was agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the

Whole on the engrossed bill to detach the county of Lowndes from the Southern Judicial Circuit, and add the same to the Brunswick Judicial Circuit.

On motion, the same was referred to the Committee on the Judiciary.

The Senate took up the report of the committee on the bill to amend an act incorporating the town of Elberton, approved 19th February, 1866, by giving additional powers to the Town Council of said town.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the committee on the bill to repeal an act, approved on the 4th day of March, 1856, to compensate the Grand and Petit Jurors of the county of Tattnall; also, to repeal an act, approved on the 4th day of March, 1856, to authorize the Inferior Court of Tattnall county to levy an extra tax for the purpose of paying the Grand and Petit Jurors of Tattnall county.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report was agreed to, the bill was read the third time and passed.

The Senate took up the report of the committee on the resolution in reference to the election of State Printer.

The Committee on the Judiciary, to whom this resolution had been referred, reported adversely to the passage of the same.

The report of the committee was agreed to, and the resolution was lost.

Mr. THORNTON reported the following resolution :

Resolved by the Senate and House of Representatives, That the committees to whom have been referred that portion of the Governor's Message relating to the proposed amendment to the Constitution of the United States, be instructed to act as a joint committee, and report as early as practicable.

On motion, the rules were suspended, and the resolution was agreed to; and the Secretary directed to transmit the same forthwith to the House of Representatives.

The following bills were severally read the second time, to-wit:

A bill to amend the charter of the city of Albany.

A bill to incorporate the Lumpkin Porcelain Manufacturing Company.

A bill to enable the Justices of the Inferior Courts of the several counties of the State of Georgia to raise funds to build their Court Houses and Ja'ls, where they have been destroyed by the Federal army.

The following bill was read the second time and referred to the Committee on Finance, to-wit:

A bill to prevent the distillation of cereals into spirituous liquors until the next meeting of the General Assembly, and for other purposes.

The following bills were severally read the second time and referred to the Committee on the Judiciary:

A bill to authorize the collection of any rate of interest on contracts which may be agreed upon, and for other purposes.

A bill to reduce the Sheriff's bonds of Butts and Pike counties.

A bill for the relief of Annie Adams, of Richmond county.

A bill to provide for an election by the citizens of Bartow county, to settle the question of the location of their county site.

A bill to be entitled an act to repeal section 940, and to strike out and insert words into the 941st section of the Code.

A bill to amend section 3188 of the Code.

A bill to repeal an act entitled an act to amend section 3320 of the Code, approved 21st February, 1866.

A bill to amend section 3401 of the Code.

A bill in regard to effecting service of bills in equity, to marshal assets of estates of deceased persons.

The following bill was read the second time and referred to the Committee on Finance, to-wit:

A bill to fix the amount of compensation the members and officers of the General Assembly shall receive for their services, until otherwise altered by law.

The following bill was read the second time, and referred to the Committee on Internal Improvements, to-wit:

A bill to incorporate the Lumpkin Manufacturing Company.

Leave of absence was granted to the Senator from the 23d district, for a few days.

On motion, the Senate adjourned until to-morrow morning at ten o'clock.

TUESDAY, November 6, 1866.

THE SENATE met pursuant to adjournment, and was opened with prayer by the Rev. Mr. BROOKS.

The Judiciary Committee, through Mr. MOORE, their chairman, reported as follows:

Mr. President: The Judiciary Committee, to whom was

referred certain bills for their consideration, direct me to report thereon as follows :

A bill to be entitled an act to reduce the Sheriffs' bonds of Butts and Pike counties, which they recommend do pass.

Also, a bill to be entitled an act to amend section 3401 of the Code, which they recommend do pass.

Also, a bill to be entitled an act in regard to effecting service of bills in equity to marshal assets of estates of deceased persons, which they recommend do pass.

Also, a bill to be entitled an act to authorize the collection of any rate of interest on contracts which may be agreed upon, and for other purposes, which they propose to amend by striking from the first section these words: "*the loan of*", and with this amendment they recommend the passage of the bill.

B. B. MOORE, *Chairman*.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have concurred in the resolution from the Senate, providing that the committees upon that portion of the Governor's message relating to the proposed amendment to the Constitution of the United States shall act as a joint committee, with instructions to report at as early a day as practicable.

Leave of absence was granted to the Assistant Secretary for a few days.

On a call of the roll, the following bills were introduced, and severally read the first time:

By Mr. BROWN—

A bill to authorize defaulters to give in and pay to the Collectors, and to extend the time for settlement by Tax Collectors.

By Mr. J. F. JOHNSON—

A bill to alter and amend an act entitled an act to organize a County Court in each county in this State, approved March 17th, 1866.

By Mr. O. P. BEALL—

A bill to exempt from levy and sale certain property of every debtor in this State, and for other purposes.

By Mr. OWENS—

A bill to amend an act entitled an act to amend an act to incorporate the Central Railroad & Canal Company of Georgia, to alter and change the name of said company, and to give to said company banking powers and privileges.

By Mr. J. A. W. JOHNSON—

A bill to so far modify the law against lotteries as to adopt

a scheme to enable children of destitute soldiers, and the orphans of such as died in military service, to receive a liberal education.

By Mr. BUTLER—

A bill to exempt from taxation the capital stock of companies or persons engaged in the manufacture of cotton or wool.

By Mr. STROZIER—

A bill to compel the Judges of the Supreme Court to write out and read the written decision from the bench at the opening of each term ; also, *

A bill to change the times of holding the Supreme Courts so far as the Macon, South-Western and Chattahoochee Circuits are concerned.

By Mr. TURNER—

A bill to incorporate the Wilcoxson Manufacturing Company.

By Mr. VANDUZER—

A bill to amend the law in regard to property exempt from levy and sale.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills:

A bill to change the time of holding the Superior Court for the county of Marion.

A bill to incorporate the Coweta Falls Manufacturing Company, of Columbus, Georgia.

A bill to alter and amend an act passed December 18th, 1817, to amend an act passed November 27th, 1812, and to amend an act passed 18th December, 1820, to incorporate the town of Sandersville, in the county of Washington, and to vest certain powers in the Commissioners thereof.

A bill to regulate confession fees and jury fees in the county of Catoosa.

The House has also agreed to a joint resolution bringing on the election of State Printer on Wednesday next, at 12 M., in which they invite the concurrence of this branch of the General Assembly.

Mr. OWENS reported the following resolution, to-wit:

Resolved, That a seat on the floor of the Senate be tendered to the Hon. Howell Cobb during his stay at the capital.

On motion, the rules were suspended, and the resolution was taken up, read, and agreed to.

On motion, the rules were suspended, and the resolution of the House in reference to the election of State Printer, was

taken up and concurred in, and the Secretary directed to transmit the same forthwith to the House of Representatives.

The Senate took up the report of the Committee of the Whole on the bill in regard to effecting service of bills in equity to marshal assets of estates of deceased persons.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to; the bill was read the third time, and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend section 3401 of the Code.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of the passage of the same.

The report of the committee was agreed to; the bill was read the third time, and passed.

The Senate took up the report of the Committee of the Whole on the bill to reduce the Sheriffs' bonds of Butts and Pike counties.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

On motion, the following named counties were embraced in the provisions of the bill, to-wit: Crawford, Clayton, Paulding, Polk, Haralson, Milton, Screven, Bulloch, Troup, Heard, Carroll, Henry, Cherokee, Gwinnett, DeKalb, Dougherty, Lee, Worth, Baker, Calhoun, and Early.

The report of the committee, as amended, was agreed to; the bill was read the third time, and passed, under the following title, to-wit:

A bill to reduce the bonds of the Sheriffs of certain counties therein named.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bill, which I am instructed to transmit forthwith to the Senate:

A bill to provide for an election by the citizens of Bartow county, to settle the question of the location of their county site.

The Senate took up the report of the Committee of the Whole on the bill to authorize the collection of any rate of interest in contracts which may be agreed upon, and for other purposes.

The Judiciary Committee, to whom this bill was referred, propose to amend the first section by striking out the words, "the loan of", and, with this amendment, they recommend that it do pass.

On motion, the amendment was agreed to.

Mr. STROZIER moved to amend by adding the following proviso, to-wit:

Provided, That in no case shall the interest reserved be over ten per cent.

Whereupon the yeas and nays were required to be recorded, and are: Yeas, 18; Nays, 16.

Those voting in the affirmative, are Messrs.

Barwick,	Ezzard,	Russell,
Beall, O. P	Freeman,	Smith, O. L.
Blount,	Fuller,	Strickland,
Brown,	Johnson, J. F.	Strozier,
Daley,	McDaniel,	Vanduzer,
Dickey,	Quillian,	Wilcox—18.

Those voting in the negative, are Messrs.

Bell, W R.	Gresham,	Parris,
Butler,	Johnson, J. A. W	Patterson,
Carter,	Mims,	Redding,
England,	Moore,	Simmons,
Griffin,	Owens,	Thornton,
	Turner—16.	

So the amendment was agreed to.

The report of the committee, as amended, was disagreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill to amend the charter of the city of Albany.

The report of the committee was agreed to; the bill was read the third time, and passed.

The Senate took up the report of the Committee of the Whole on the bill to enable the Inferior Courts of the several counties of the State of Georgia to raise funds to build their court-houses and jails, where they have been destroyed by the Federal army.

On motion, the same was referred to the Committee on the Judiciary.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Lumpkin Porcelain Manufacturing Company.

On motion, the same was referred to the Committee on Internal Improvements.

The Senate took up the resolution in reference to furnishing the counties of Fannin and Pickens with certain books.

On motion, the same was agreed to.

The following bill was read the second time, to-wit:

A bill to amend the act incorporating the city of Bainbridge, in the county of Decatur, and the act amendatory thereof.

The following bills were read the second time, and were referred to the Committee on the Judiciary, to-wit:

A bill to change section 2500 of the Code of Georgia.

A bill for the relief of Albert Fields, and to legalize his marriage with Caroline C. Floyd, of Dougherty county.

A bill to alter and amend the first section of an act passed over the veto of his Excellency, the Governor, by a vote of two-thirds, March 1st, 1866, entitled an act for the relief of the people of Georgia, and to prevent the levy and sale of property under certain circumstances and within a limited period.

The following bill was read the second time, and referred to the Committee on Finance, to-wit:

A bill to reduce and fix the salaries of all civil officers therein named.

The following bill was read the second time, and referred to Special Committee on County Court, to-wit:

A bill to alter and amend an act to organize a County Court, approved March 12, 1866.

The Senate took up the resolution reported by Mr. TURNER, in reference to relief and the compromise of claims between debtors and creditors.

Mr. BLOUNT moved to lay the same on the table, which motion was lost.

On motion of Mr. MOORE, the resolution was referred to the Committee on the Judiciary.

The following bills of the House of Representatives were severally read the first time, to-wit:

A bill to change the time of holding the Superior Court for the county of Marion.

A bill to alter and amend an act passed December 18th, 1817, to amend an act passed November 27th, 1812, and to amend an act passed 18th December, 1820, to incorporate the town of Sandersville, in the county of Washington, and to vest certain powers in the Commissioners thereof.

A bill to regulate confession fees and jury fees in Catoosa county.

A bill to incorporate the Coweta Falls Manufacturing Company, of Columbus, Georgia.

A bill to provide for the election, by the citizens of Bartow county, to settle the question of the county site.

On motion, the Senate adjourned until to-morrow morning, at 10 o'clock.

WEDNESDAY, November 7th, 1866.

THE SENATE met pursuant to adjournment, and was opened by prayer from the Rev. Mr. BROOKS.

Mr. THORNTON moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate upon the bill to authorize the collection of any rate of interest on contracts which may be agreed upon, and for other purposes; whereupon the yeas and nays were required to be recorded, and are: Yeas 18; Nays 19.

Those voting in the affirmative are Messrs.

Bell, W. R.	England,	Owens,
Butler,	Gresham,	Parris,
Carter,	Johnson, J. A. W	Patterson,
Casey,	Kenan,	Redding,
Crawford,	Mims,	Thornton,
Daley,	Moore,	Turner.

Those voting in the negative are Messrs.

Barwick,	Fuller,	Russell,
Blount,	Griffin,	Smith, O. L.
Bower,	Johnson, J. F.	Strickland,
Brown,	Manson,	Strozier,
Dickey,	McDaniel,	Vanduzer,
Ezzard,	Quillian,	Wilcox.
Freeman,		

Yeas 18; Nays 19. So the motion to reconsider the bill was lost.

Mr. O. L. SMITH, from the Committee on Enrollment, made the following report:

Mr. President: The Committee on Enrollment report as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following resolution, to-wit:

A resolution to bring on the election of the State Printer,

Mr. MOORE, from the Judiciary Committee, made the following report:

Mr. President: The Committee on the Judiciary have had under consideration the bill to be entitled an act to repeal section 940, and to strike out and insert words into the 941st section of the Code, which was referred to them, and they beg leave to offer a substitute, which accompanies this report, to be entitled an act to repeal section 940 of the Code of Georgia, and to substitute a section in lieu thereof, which they recommend be passed in lieu of the original bill.

I am further instructed to report in favor of the passage of the bill to enable the Justices of the Inferior Court of the several counties of the State of Georgia to raise funds to build their Court Houses and Jails, where they have been destroyed by the Federal army, with an amendment striking out the words, "upon the recommendation of two-thirds of the Grand Juries thereof," from the fifth line of the first section.

The committee have also considered the bill for the relief of Annie Adams, of Richmond county, and recommend that it do not pass.

Also, a bill to repeal portions of sections 3499 and 3500 of the Code of Georgia, and for other purposes, which they recommend do not pass.

B. B. MOORE, *Chairman*.

The following message was received from the House of Representatives, through Mr. WADDELL, the Clerk thereof:

Mr. President: The House of Representatives have agreed to a joint resolution appointing Mrs. Helena Dorsey an agent to collect funds for the State Orphan Home, in which they invite the concurrence of the Senate.

Mr. J. A. W JOHNSON, from the joint committee on the County Court, made the following report:

Mr. President: The joint committee on the County Court report back to the Senate, without recommendation, the bill to organize and establish six additional judicial circuits.

On motion of Mr. STROZIER, the same was referred to the Committee on the Judiciary.

Leave of absence for a few days was granted to the Senator from the 28th district.

The Senate took up the report of the Committee of the Whole on the bill to amend an act incorporating the city of Bainbridge, in the county of Decatur, and the acts amendatory thereof.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to repeal so much of sections 3499 and 3500 of the Code as gives a lien to judgments upon defendant's property, or prevents alienation by defendants of their property, and for other purposes.

The Committee on the Judiciary, to whom this bill was referred, reported the same back to the Senate, with the recommendation that it do not pass; and upon the question of agreeing to the report, the yeas and nays were required to be recorded, and are: Yeas 19; Nays 18.

Those voting in the affirmative are Messrs.

Bower,	Freeman,	Owens,
Butler,	Gresham,	Quillian,
Carter,	Kenan,	Redding,
Casey,	McDaniel,	Russell,
Daley,	Mims,	Thornton,
Dickey,	Moore,	Turner.
England,		

Those voting in the negative are Messrs.

Barwick,	Fuller,	Patterson,
Beall, O. P.	Griffin,	Smith, O. L.
Bell, W. R.	Johnson, J. A. W	Strickland,
Blount,	Johnson, J. F.	Strozier,
Brown,	Manson,	Vanduzer,
Ezzard,	Parris,	Wilcox.

Yeas 19; Nays 18. So the report was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill to repeal section 940, and to strike out and insert words in the 941st section of the Code.

The Committee on the Judiciary, to whom this bill was referred, reported the same back to the Senate, and recommended that the same be amended by the adoption of the following substitute, to-wit:

A BILL

To be entitled An Act to repeal section 940 of the Code of Georgia, and to substitute a section in lieu thereof.

The General Assembly of the State of Georgia do enact, That section 940 of the Code of Georgia be repealed, and the following section be substituted in lieu thereof:

That from and after the passage of this act, the General Assembly shall, biennially, elect a public State Printer, at the same session and in like manner with the State House officers of the State; and said State Printer shall hold his office for and during the term of two years.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to enable the Justices of the Inferior Court of the several counties of the State of Georgia to raise funds to build their Court Houses and Jails, where they have been destroyed by the Federal army.

The Committee on the Judiciary, to whom this bill was referred, propose to amend the same by striking out in the fifth line of the first section, the words, "upon the recommendation of two-thirds of the Grand Juries thereof;" and, with this amendment, they recommended the passage of the bill.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill for the relief of Annie Adams, of the county of Richmond.

The Committee on the Judiciary, to whom the bill was referred, reported adversely to its passage.

On motion of Mr. BUTLER, the same was laid on the table for the present.

The following bill was read the second time and referred to the special Committee on the County Court, to-wit:

A bill to amend an act entitled an act to organize a County Court, approved March 17th, 1866.

The following bill was read the second time and referred to the Committee on Finance, to-wit:

A bill to exempt from taxation the capital stock of companies or persons engaged in the manufacture of cotton or wool.

The following bill was read the second time, to-wit:

A bill to authorize defaulters to give in and pay to the Collectors, and to extend the time for settlement by Tax Collectors.

The following bills were read the second time and referred to the Committee on the Judiciary, to-wit:

A bill to so far modify the laws against lotteries as to adopt a scheme to enable children of destitute soldiers and the orphans of such as died in military service, to receive a liberal education.

A bill to amend the law in regard to property exempt from levy and sale.

A bill to compel the Judges of the Supreme Court to write and read the written decision from the bench at the opening of each term.

A bill to change the times of holding the Supreme Courts, so far as the Macon, Southwestern and Chattahoochee Circuits are concerned.

A bill to exempt from levy and sale certain property of every debtor in this State, and for other purposes.

The following message was received from the House of Representatives, through Mr. WADDELL, the Clerk thereof:

Mr. President: The House of Representatives have agreed to the following joint resolutions, in which they invite the concurrence of the Senate:

A resolution authorizing J. W. Avery, Esq., to lay before a committee a digest of decisions of the Supreme Court.

A resolution for the appointment of a day of fasting, humiliation and prayer.

The following bills were read the second time and referred to the Committee on Internal Improvements:

A bill to incorporate the Wilcoxon Manufacturing Company.

A bill to amend an act entitled an act to amend an act to incorporate the Central Railroad and Canal Company of Georgia; to alter and change the name of said Company, and to give to said Company banking powers and privileges.

The following bills of the House of Representatives were taken up and severally read the second time, to-wit:

A bill to be entitled an act to alter and amend an act passed December 18th, 1817, to amend an act passed November 27th, 1812, and to amend an act passed 18th December, 1820, to incorporate the town of Sandersville, in the county of Washington, and to vest certain powers in the Commissioners thereof.

A bill to be entitled an act to change the time of holding the Superior Court of the county of Marion.

The following bill of the House of Representatives was taken up and read the second time and referred to the Committee on Internal Improvements, to-wit:

A bill to be entitled an act to incorporate the Coweta Falls Manufacturing Company of Columbus, Georgia.

The following bills of the House of Representatives were taken up and severally read the second time, and referred to the Judiciary Committee, to-wit:

A bill to be entitled an act to regulate confession fees and jury fees in Catoosa county.

A bill to be entitled an act to provide for an election by the citizens of Bartow county to settle the question of the location of their county site.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: I am directed by the House of Representatives to inform the Senate that they are now ready to receive the Senate in the hall of the House of Representatives, for the purpose of proceeding to elect a State Printer.

On motion, the Senate repaired to the hall of the House of Representatives, and after being seated, the General Assembly proceeded to the election of a State Printer, and, on taking the vote *viva voce*, it appeared that J. W. Burke, Esq., of the county of Bibb, received a majority of the votes given in, and was declared duly elected.

The business of the joint session being concluded, on motion of Mr. GRESHAM, the Senate repaired to their chamber.

On motion, the rules were suspended, and the Senate took

up the resolution from the House of Representatives in relation to setting apart a day for fasting, humiliation and prayer.

Mr. TURNER moved to concur in the same, which motion prevailed.

The Senate also took up the resolution from the House of Representatives in relation to the appointment of Mrs. Helena Dorsey, of the city of Atlanta, as agent for the State Orphan Home, and for other purposes.

On motion of Mr. BUTLER, the resolution was agreed to.

The Senate also took up the resolution from the House of Representatives in reference to the examination by an appropriate committee of the digest of the decisions of the Supreme Court, now in course of preparation by J. W. Avery, Esq.

On motion of Mr. MOORE, the resolution was referred to the Committee on the Judiciary.

On motion, the Senate adjourned until to-morrow morning, at 10 o'clock.

THURSDAY, November 8th, 1866.

The SENATE met pursuant to adjournment, and was opened by prayer from the Rev. Mr. Yarborough.

Mr. O. P. BEALL moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill to repeal sections 3499 and 3500 of the Code, which was agreed to.

Mr. MOORE, from the Committee on the Judiciary, made the following report:

Mr. President: The Judiciary Committee to whom were referred two bills, one from the Senate and the other from the House of Representatives, to provide for an election by the citizens of Bartow county to settle the question of the location of their county site, have had both under consideration, and direct me to report in favor of the passage of the House bill, with the following amendments, to-wit:

1st. Strike out the following words in the first section, to-wit: "be ordered by the Justices of the Inferior Court of Bartow county to," and insert in lieu thereof the word "shall."

2d. After the word "county," in third line of fifth section, insert these words, "to procure the necessary land either by purchase or otherwise."

3d. Add another section as follows:

"SEC. 6. *And be it further enacted,* That if the Governor

of the State shall be informed within thirty days after said election of any fraud or misconduct by illegal votes or otherwise, that produced a result different from what it would have been, but for said fraud, illegal votes, or misconduct, he shall issue an order setting aside said election, and appoint a new election under this act, publishing said order for a new election at least sixty days before the day of election, and said new election shall be held as provided in this act."

The committee have also considered a bill to compel Judges of the Supreme Court to write out and read the written decisions from the bench at the opening of each term, which they recommend do pass.

Also, a bill for the relief of Albert Fields, and to legalize his marriage with Caroline C. Floyd, of Dougherty county, which they recommend do pass.

Also, a House bill to regulate confession fees and jury fees in Catoosa county, which they recommend do pass.

B. B. MOORE, *Chairman*.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bill, which I am directed to transmit forthwith to the Senate.

A bill to change the time of holding the Superior Court of the county of McIntosh, and to legalize the proceedings of said Court.

Mr. DICKEY, Chairman from the Committee on Finance, submitted the following report:

Mr. President: The Committee on Finance have had under consideration the following bills, to-wit:

A bill to be entitled an act to prevent the distillation of cereals into spirituous liquors until the next meeting of the General Assembly, and for other purposes; which they recommend do not pass.

Also, a bill to be entitled an act to amend an act, entitled an act to fix the amount of compensation the members and officers of the General Assembly shall receive for their services until otherwise altered by law; which they recommend do not pass.

Also, a bill to be entitled an act to reduce and fix the salaries of all civil officers therein named; which they recommend do not pass.

Also, a bill to be entitled an act to exempt from taxation the capital stock of companies or persons engaged in the manufacture of cotton or wool; which they recommend do not pass.

Mr. J. F. JOHNSON reported the following resolution, to-wit:

Resolved, That it is the sense of this General Assembly that the change bills issued by the Superintendent of the Western & Atlantic Railroad under an act of the Legislature, assented to December 17th, 1861, entitled "An Act to authorize the Superintendent of the Western & Atlantic Railroad of this State to issue change bills, and for other purposes," and an act assented to April 6th, 1863, entitled "An Act to make legal the signing of certain change bills issued by the Western & Atlantic Railroad and signed by William Gresham for the Superintendent of said road, and to make penal the forging, counterfeiting, altering or issuing the same, and for other purposes," should be received in payment of dues to the said Western & Atlantic Railroad, and the officers of said road be, and they are hereby, authorized to receive the same for the purpose aforesaid.

Resolved, further, That it is the sense of this General Assembly that the Tax Collectors of the several counties in this State should receive in payment of taxes due the State the change bills so issued by the authority of the Legislature under the act assented to December 17th, 1861, and the act amendatory thereof, assented to April 6th, 1863, and they are hereby authorized to receive the same in payment of dues to this State.

Mr. REDDING reported the following resolution, to-wit:

Resolved, That his Excellency, the Governor, be requested to furnish the Legislature, as soon as may be practicable, information upon the following points:

1st. Is it practicable to use the inmates of the Penitentiary in building bridges, water tanks and freight cars for the State Road? and, if so, what saving of expense can be effected thereby?

2d. Can the same force be used in rolling the iron on said road, and other heavy manual labor connected therewith, also a foundry for castings?

3d. Can water power be obtained near the present site, and can it be used for driving the necessary machinery, together with estimates of the cost of the same? Is there an abundance of granite near the Penitentiary, and, if so, is it practicable to employ the convicts in quarrying and dressing the same?

On a call of the roll, the following bills were introduced and severally read the first time, to-wit:

By Mr. PARRIS—

A bill to facilitate the sale of real estate in Georgia, and to encourage emigration thereto.

By Mr. OWENS—

A bill to repeal the 5th section of an act, entitled an act to repeal an act entitled an act, etc., approved February 17, 1854.

By Mr. DALEY—

A bill to add additional sections to the 10th division, part 4th, title 1st, of the Penal Code.

By Mr. STRICKLAND—

A bill to amend section 3764 of the Code of Georgia by adding the word "or district" after the word "county," in the second line of said section.

By Mr. O. L. SMITH—

A bill to approve the consolidation of certain railroad companies therein named, and to authorize the consolidated company to adopt a corporate name.

By Mr. CASEY—

A bill to repeal an act, assented to 15th December, 1862, in relation to an assessment of tax on cotton as merchandize.

By Mr. QUILLIAN—

A bill to amend the charter of "The Kenesaw Mining Company of Georgia," and to change the name to that of "The Kenesaw Mining and Manufacturing Company of Georgia."

By Mr. DALEY—

A bill to provide for the citizens of McIntosh county to settle the question of the location of the county site.

By Mr. CARTER—

A bill to alter and amend an act for the relief of the people of Georgia, and prevent the levy and sale of property within a limited period, passed March 8th, 1866.

Also, a bill to repeal so much of the first section of an act, entitled an act to alter and amend the Penal Code of Georgia as relates to section 4248.

By Mr. BARWICK—

A bill to prevent the destruction of fish in the county of Emanuel in times of low waters.

On motion, the rules were suspended, and the resolution reported by Mr. REDDING, requesting his Excellency, the Governor, to furnish certain information in reference to the Penitentiary, was taken up, read, and agreed to.

Mr. DALEY reported the following resolution, to-wit:

WHEREAS, there is no direct mail route in operation from the town of Riedsville, the county site of Tattnall, to any point on the railroad; and as Johnson Station, (No. 4½,) on the Albany & Gulf Railroad, (the distance of thirty-six miles,) is the nearest point of railroad to said town—

Resolved by the General Assembly of the State of Georgia,

That the Postmaster General of the United States is requested to recommend a mail line for weekly service from the town of Reidsville, the county site of Tattnall county, to Johnson Station, (No. 4 $\frac{1}{2}$), on the Albany & Gulf Railroad, the distance of thirty-six miles.

Resolved, further, That his Excellency, the Governor, be, and is hereby, requested to transmit a copy of this resolution to the Postmaster General of the United States.

The Senate took up the report of the committee on the bill to prevent the distillation of cereals into spirituous liquors, until the next meeting of the General Assembly.

The Committee on Finance, to whom this bill was referred, reported adversely to its passage.

Mr. VANDUZER moved to amend the 3d section by striking out the words "five hundred" and insert the words "five dollars," which motion was lost.

The report of the committee was disagreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to reduce and fix the salaries of all civil officers therein named.

The Committee on Finance, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill to fix the amount of compensation the members and officers of the General Assembly shall receive for their services until otherwise altered by law.

The Committee on Finance, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill to compel the Judges of the Supreme Court to write out and read the written decisions from the bench at the opening of each term.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to authorize defaulters to give in and pay to the collectors, and to extend the time for settlement by Tax Collectors.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the

Whole on the bill for the relief of Albert Fields, and to legalize his marriage with Caroline C. Floyd, of Dougherty county.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to provide for an election by the citizens of Bartow county to settle the question of the location of their county site.

The Committee on the Judiciary, to whom this bill was referred, reported the same back to the Senate, and recommend the adoption of the bill of the House of Representatives on the same subject as a substitute therefor, with the following amendments, to-wit:

1st. Strike out the words in the 1st section "be ordered by the Justices of the Inferior Court of Bartow county to," and insert in lieu thereof the word "shall."

2d. After the word "county" in the third line of 5th section, insert these words "to procure the necessary land either by purchase or otherwise."

3d. Add another section, as follows:

SECTION 6th. *And be it further enacted*, That if the Governor of this State shall be informed within thirty days after said election, of any fraud or misconduct by illegal votes or otherwise, that produced a result different from what it would have been but for said fraud, illegal votes or misconduct, he shall issue an order setting aside said election and appoint a new election under this act, publishing said order for a new election at least sixty days before the day of election, and said new election shall be held as provided in this act.

On motion of Mr. MOORE, the amendments were agreed to, and the substitute was adopted in lieu of the original.

Mr. MOORE reported the following as additional sections, which were agreed to, to-wit:

SEC. — *And be it further enacted*, That should the county site be located at Cass Station, on the Western & Atlantic Railroad, then, and in that event, J. J. Howard, Abda Johnson, W. T. Wofford, Nathan Land, Elisha King, Christopher Dodd and G. W. Hill be, and they are hereby, appointed Commissioners, and they, or a majority of them, are authorized to act in conjunction with the Justices of the Inferior Court of said county of Bartow, in laying off the town and erecting public buildings for said county.

SEC. — *Be it further enacted*, That this act go into effect from and immediately after its passage.

The report of the committee as amended was agreed to, the

bill was read the third time and passed, under the following title, to-wit :

A bill to be entitled an act to provide for an election by the citizens of Bartow county, to settle the question of the location of their county site.

On motion the rules were suspended, and the Secretary was directed to transmit the same forthwith to the House of Representatives.

On motion, the rules were suspended, and Mr. EZZARD submitted a memorial from the citizens of Forsyth county, in reference to the repeal of the law organizing a County Court, which was read and referred to the Committee on Petitions.

Mr. GRESHAM reported the following resolution :

Resolved, That one hundred copies of the Annual Report of the Trustees of the Academy for the Blind be printed for the use of the Senate.

On motion, the rules were suspended, and the resolution was taken up, read, and agreed to.

The rules being further suspended—

Mr. O. P. BEALL introduced a bill to repeal section 1439 of the Code, which was read the first time.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to regulate confession fees and jury fees in Catoosa county.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to change the time of holding the Superior Court for the county of Marion.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to alter and amend an act, passed December 18, 1817, to amend an act passed November 27, 1812, and to amend an act passed 18th December, 1820, to incorporate the town of Sandersville, in the county of Washington, and to vest certain powers in the Commissioners thereof.

The report of the committee was agreed to ; the bill was read the third time, and passed.

The following bill of the House of Representatives was read the first time, to-wit :

A bill to change the time of holding the Superior Court of the county of McIntosh, and legalize the proceedings.

On motion, the Senate adjourned until to-morrow morning at ten o'clock.

FRIDAY, November 9th, 1866.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Yarbrough.

Mr. EZZARD moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill to fix the pay the members and officers of the General Assembly shall receive, until otherwise provided for by law, which motion was lost.

Mr. MOORE moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill for the relief of Albert Fields, and to legalize his marriage with Caroline C. Floyd, of Dougherty county; which motion was lost.

Mr. OWENS, from the Committee on Internal Improvements, submitted the following report, to-wit:

Mr. President: The Committee on Internal Improvements, to whom was referred several bills, have directed me to report, as follows:

A bill to be entitled an act to incorporate the Coweta Falls Manufacturing Company of Columbus, Georgia, which they propose to amend by inserting at the close of the 1st section the words, "the principal place of business of said company shall be at Columbus, Georgia," and, with this amendment, recommend its passage.

Also, a bill to be entitled an act to amend an act, entitled an act to amend an act to incorporate the Central Railroad & Canal Company of Georgia, to alter and change the name of said company, and to give the said company banking powers and privileges; which they recommend do pass.

Also, a bill to be entitled an act to incorporate the Lumpkin Porcelain Manufacturing Company, which they propose to amend by striking out of the 4th section the words, "that the Directors shall be composed of three stockholders who may select a President," and inserting "that a Board of five Directors shall be elected by the stockholders, who shall be authorized to elect a President," by striking out of the 4th line of 5th section the word "exclusive" and the word "fifty" and inserting "thirty;" with these amendments, recommend its passage.

Respectfully submitted.

GEORGE S. OWENS, *Chairman.*

Mr. SMITH, Chairman of the Committee on Enrollment, reported as duly enrolled and signed by the Speaker of the House of Representatives and ready for the signature of the President of the Senate, the following resolutions, to-wit:

Resolution for setting apart the 22d instant as a day of fasting, humiliation and prayer.

Also, a resolution to appoint Mrs. Helena Dorsey agent for the State Orphan Home, etc.

The following message was received from the House of Representatives, through Mr. WADDELL, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills:

A bill to alter and amend an act, entitled an act to incorporate the town of Hawkinsville, in the county of Pulaski; to appoint Commissioners for the same, and to confer certain powers upon said Commissioners.

Also, to incorporate the town of Grooversville, in Brooks county, and for other purposes, approved December 8th, 1859.

A bill to amend an act, entitled an act to amend the charter of the "Georgia Western Railroad," passed December 20th, 1860.

A bill to change the time of holding the Superior Courts in Clay county.

A bill to extend the time within which Tax Collectors of this State shall make their final returns to the Comptroller General for the present year.

A bill to regulate the pay of grand and petit jurors of the county of Meriwether.

A bill to amend an act, entitled an act to incorporate the Water Lot Company of the city of Columbus, approved December 27, 1845.

A bill to make the Justices of the Peace, in Marion county, *ex officio* Road Commissioners for their respective districts in said county.

A bill to appoint a day for the holding of elections by the General Assembly.

A bill to define the residence of corporations, and to perfect service on the same.

A bill to reduce the tax and to define the powers of the Town Council in the town of Cartersville, in Bartow county.

A bill to make valid contracts of apprenticeship, made by citizens of Georgia with agents of the Freedmen's Bureau.

A bill to amend an act, entitled an act to legalize and make valid certain acts of Notaries Public in this State, and for other purposes, approved 17th March, 1866.

On motion, the rules were suspended for the introduction

of new matter, and, on a call of the roll, the following bills were introduced, and severally read the first time, to-wit:

By Mr. BARWICK—

A bill amendatory of an act, approved the — day of March, 1866, for the relief of executors, administrators, etc.

By Mr. CARTER—

A bill for the pardon of Creed T. Wise, a convict in the Penitentiary for the crime of murder.

By Mr. FREEMAN—

A bill to extend the aid of the State to the completion of the Air Line Railroad, and for other purposes.

By Mr. GRESHAM—

A bill to relinquish the contingent interest of the State of Georgia in that portion of land below the city of Macon, known as the States' Reserve, and to repeal the proviso to the first section and the second section of the act, "To vest that portion of land below the city of Macon known as the States' Reserve in the corporate authorities of the city of Macon," approved March 6, 1856.

By Mr. McDANIEL—

A bill to extend the aid of the State to the Savannah, Griffin, and North Alabama Railroad, and for other purposes.

By Mr. PARRIS—

A bill to allow the redemption of real estate, sold under execution, within a specified time.

Leave of absence was granted to the Senators from the First and Twenty-first Districts for a few days.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Lumpkin Porcelain Manufacturing Company.

The Committee on Internal Improvements, to whom this bill was referred, propose to amend the same by striking out of 4th section the words "that the Directors shall be composed of three stockholders who may select a President," and inserting "That a Board of five Directors shall be elected by the stockholders who shall be authorized to elect a President, by striking out of the 4th line of 5th section the word "exclusive," and the word "fifty," and inserting "thirty," and with these amendments recommend its passage.

The report of the committee was agreed to; the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend an act, entitled an act to amend an act to incorporate the Central Railroad and Canal Company of Georgia, to alter and change the

name of said company, and to give to said company banking powers and privileges.

The Committee on Internal Improvements, to whom this bill was referred, reported in favor of its passage.

The report of the Committee was agreed to, the bill was read the third time and passed.

Mr. DICKEY reported the following resolution, to-wit:

Resolved, That a seat on the floor of the Senate be tendered to the Hon. Hiram Warner during his stay at the capital.

On motion, the rules were suspended, and the resolution was taken up, read, and agreed to.

The following bills were read the second time, and referred to the Committee on Internal Improvements, to-wit:

A bill to amend the charter of the "Kenesaw Mining Company of Georgia," and to change the name of the Kenesaw Mining and Manufacturing Company of Georgia.

A bill to approve the consolidation of certain railroad companies therein named, and to authorize the consolidated company to adopt a corporate name.

The following bills were read the second time, and referred to the Committee on Finance, to-wit:

A bill to repeal the tax assessed on cotton as merchandize.

The following bills were read the second time, and referred to the Committee on the Judiciary, to-wit:

A bill to repeal the fifth section of an act, entitled an act to repeal an act entitled an act, etc., approved February 17th, 1854.

A bill to amend section 3764 of the Code of Georgia by adding the words "or district" after the word "county," in the second line of said section.

A bill to add additional sections to the 10th division, part 4th, title 1st, of the Penal Code.

A bill to provide for the citizens of McIntosh county to settle the question of the location of the county site.

A bill to prevent the destruction of fish in the county of Emanuel in times of low water.

A bill to repeal section 1439 of the Code.

A bill to repeal so much of the first section of an act, entitled an act to alter and amend the Penal Code of Georgia as relates to section 4248 of the Code of Georgia.

A bill to facilitate the sale of real estate in Georgia, and to encourage immigration thereto.

A bill to alter and amend an act for the relief of the people of Georgia, and prevent the levy and sale of property within a limited period, passed March 8, 1866.

On motion of Mr. J. F. JOHNSON, the resolution in reference to receiving in payment the change bills of the Western

& Atlantic Railroad for taxes, was taken up and referred to the Committee on Finance.

Mr. THORNTON, from the Joint Committee on the state of the Republic, to whom was referred the consideration of the proposed amendments to the Constitution of the United States, submitted the following report, to-wit :

REPORT

Of the Joint Committee on the State of the Republic.

Your committee have serious doubts as to the propriety of discussing the proposed amendments to the Constitution of the United States. They are presented without the authority of the Constitution, and it occurred to us, that as the dignity and rights of Georgia might be compromised by a consideration of the merits of the proposed amendments, that the proper course would be to lay them on the table, or indefinitely postpone their consideration, without one word of debate. We shall depart from this course, only so far as to give the reasons which, to our minds, forbid discussion upon the merits of the proposed amendments.

The argument resolves itself into a few simple propositions.

1st. If Georgia is not a State composing a part of the Federal Government, known as the Government of the United States, amendments to the Constitution of the United States are not properly before the body.

2d. If Georgia is a State composing a part of the Federal Government, known as the Government of the United States, then these amendments are not proposed according to the requirements of the Federal Constitution ; and are proposed in such a manner as forbids this House from discussing the merits of the amendments, without an implied surrender of the rights of the State.

In discussing these propositions, we will endeavor to establish—

1st. That Georgia is a State of the United States, co-equal with all the other States of the Federal Union, and therefore entitled to all the rights and privileges of any and every other State under the Federal Constitution.

2d. That these amendments have not been proposed in either of the methods required by the Fifth Article of the Constitution. We do not propose to discuss whether any political organization, except a State of the Union, can constitutionally consider amendments to the Constitution, because, by the Fifth Article, *proposed amendments* become a part of the Constitution of the United States, when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths of the States, as the one or the other mode of ratification may be proposed by the Con-

gress. With this citation, we shall dismiss what seems to us to be a self evident proposition. Is Georgia one of the United States? might rest upon the fact that the constitutional amendments proposed have been submitted to the Legislature of Georgia for ratification or rejection; but in view of the fact that the radical party now dominant at the North, recognizes the status of the seceding States as States whenever such recognition is necessary to a surrender of rights, and denies the proposition whenever the recognition is essential to their maintenance, it may not be out of place to recur to the history of the Federal Government in order to define the relation of Georgia to the several States of the American Union. Neighboring States certainly have no inherent right to control the political condition of each other. This being the case, thirteen States formerly colonies of Great Britain, formed a political alliance, and established a government called the United States of America. Georgia was one of the original thirteen. Certain political powers were delegated to the General Government, and certain other powers reserved to the States respectively. The delegated powers were expressed in a written instrument called the Constitution of the United States, and the power of the General Government to legislate in any way upon the interest of the several States composing the Union is derived from that instrument, either by express grant or by necessary implication.

Georgia was clearly a State when the Union was formed, for she was one of the original thirteen States, by whom the Government was created.

Georgia, then, being one of the original States, has never ceased to occupy that relation to her sister States, unless by the Constitution (either expressly or by implication) she has reserved to herself the right to *secede*, or vested in the Legislature or some other department of the government the right to eject her.

Did Georgia have the right to secede? Georgia supposed that when the General Government ceased to answer the purposes of its creation, that she had the right to secede, and did in fact endeavor to withdraw from the Federal Union, in conjunction with ten of her sister States. The remaining or non-seceding States declared the Union to be perpetual and indivisible; but, failing under the Constitution to find any power to coerce a State, Congress resorted to the eighth section, in which the legislative powers are defined, wherein the power is given to the Congress to "suppress insurrection," and on the 29th July, 1861, passed an act to provide for the suppression of rebellion against and resistance to the laws of the United States, and to amend an act "passed February 28th, 1795."

Under this and similar acts the military power of the

United States was called forth, *designedly not against the States*, but to suppress insurrection by the people within the States. The United States Government uniformly refused to recognize the acts of secession as State acts, but treated them as the acts of insurgents, rebelling against the authority of the States, and of the United States. Under this political aspect of the case, *no war was ever declared by Congress*, (which is the only power that could declare war,) because a declaration of war would have recognized the practical right of secession.

The war would have necessarily been declared against the Confederate Government, as a *foreign power*, and the relations which the States composing the Confederate Government would have become to the United, or remaining States, when conquered, would have been entirely dependent upon such terms as should be embodied in the treaty of peace which might be made between the two contending powers.

Instead of recognizing secession and *declaring war*, the Congress of the United States passed the act referred to, for *suppressing insurrections*, whenever, in the judgment of the President, the laws of the United States could not be enforced by the ordinary course of judicial proceedings.

How long did the power of the President continue to employ the militia of the several States, and the land and naval forces of the United States? So long as the cause which called it into existence continued, and no longer. What was that cause? This act and all acts passed by Congress on the subject declares, that it was to suppress an insurrection, when it should be so formidable that the laws of the United States could not be enforced by ordinary judicial course; and this fact was left *to the judgment of the President*, whose duty it is to see that the laws of the United States are executed.

The President, by proclamation, has declared the rebellion suppressed, that peace reigns throughout the United States, and that the laws can be enforced by ordinary judicial course. In other words, that an insurrection did exist on the part of a portion of the people of several States of the Union, that that insurrection has been suppressed, and the whole people of these States are now, (as a portion of them always have been) ready to render obedience to the laws of the United States.

No treaty followed the suppression of the insurrection, because a government does not treat with individuals; and the Government of the United States, throughout the whole of this contest, has refused to treat it as a contest with States; and, again, because the people, charged with being in insurrection, were citizens of States already bound together by a compact known as the Constitution of the United States,

which has never been abrogated or overthrown, and has lost none of its vitality by an unsuccessful attempt to overthrow it, and which is therefore now the supreme law of Georgia. By virtue of its powers, the Congress of the United States, acting upon the theory of the indivisibility of the Union, treated the State as a State in the Union, and, under Section two, Article one, of the Constitution, which declares: "Representatives and direct taxes shall be apportioned among the several States which may be included within the Union," did, on the fifth day of August, 1861, enact, "That a direct tax of twenty millions of dollars be, and is hereby annually laid upon the *United States*, and the same shall be apportioned to the States respectively, in manner following: The State of Georgia \$584,367 33-100, and a proportionate amount to each State and Territory of the United States," distinguishing in the act States from Territories; and on the 15th July, 1862, by an act to amend the judicial system of the United States, the districts of South Carolina, Georgia, Alabama, Mississippi and Florida were constituted the Fifth Circuit of the United States.

There are several other acts passed during the rebellion, deriving all their force from the Constitution, wherein it defines the legislative power of Congress over the States in the Union, and which, but for the fact that these States were regarded as in the Union, would have been wholly inapplicable to them.

The whole theory adopted by Congress and the Executive, and maintained throughout the entire war, was this: The Union is indissoluble—the practical relation of the States to the Federal Government is interrupted by a rebellion. The whole power of the Government must be used to suppress the rebellion, that the States may be restored to their practical relations with the Federal Government. Had the people in the disaffected States returned peaceably to their abodes under the first proclamation, the States would have been immediately restored to their practical relations; and this result followed whenever the President declared the rebellion suppressed. Whenever the laws could be enforced in the ordinary judicial course, the Union was restored, and the *Constitution* proclaimed the relation of the States to the Federal Government, rendering legislation on the subject by Congress not only unnecessary but unwarranted. We have thus endeavored to show that the right to secede is denied by the General Government, and its construction has been maintained by the sword, and is submitted to by all the States. Has Congress the right to eject a State? The powers of legislation are defined in the eighth section, and no power is given to Congress to legislate a State out of the Union. And while by the third section of the fourth article, the Congress

may admit a new State formed out of the territory of the United States, or foreign territory, there is no clause of that instrument by which Congress or any other power can transform a State into a Territory. Then, as Georgia was one of the original thirteen States which formed the Union, and could neither withdraw from it, nor be legislated out of it, her federal relations being only suspended during the rebellion, she must necessarily continue to be one of the United States, and as such her relation to the Federal Government and to her sister States is defined by the Constitution of the United States, and this relation cannot be changed, nor the terms of the Constitution altered in any way, except in one of the modes provided in that instrument by the States themselves.

2d. Are these amendments constitutionally proposed? By the fifth article of the Constitution of the United States, two modes are prescribed for proposing amendments: one by application of the legislatures of two-thirds of the States to Congress; the other, by a vote of two-thirds of the Congress. If proposed, they become amendments when ratified by the legislatures of three-fourths of the several State, or by conventions of three-fourths of the States, as the one or the other mode of ratification may be directed by Congress. Have these amendments been proposed by two-thirds of the Congress of the United States? Georgia, in conjunction with her sister States, by the first section, first article of the Constitution, declared, that "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

The second section prescribes the mode of electing members of Congress, and declares that Georgia shall have at least three members of the House of Representatives and two Senators, and that her representation shall be increased from time to time on a certain basis therein named, upon which basis of representation she is now entitled to seven members in the representative branch.

By the fifth article, it is provided that she shall never be deprived of her equal suffrage in the Senate without her consent. Thus, by the Constitution of the United States, in virtue of which instrument *alone* has the Federal Government any right to interfere with her external or internal political relations, the *Senators and Representatives of Georgia form an integral part of the Congress of the United States!* The same reasoning applies to the other ten States, whose practical relations to the Federal Government were for a time interrupted. They were like Georgia: either original States by whom the Government was created, or States since admitted upon terms of equality, under rules prescribed by the original thirteen.

During the war, Congress could be constitutionally convened

without the representatives of these States, because they were voluntarily absent, and the States failed to elect representatives. It was for this reason that the amendments abolishing slavery were constitutionally proposed, and in ratifying them Georgia yielded no political principle. A material sacrifice was asked of her, and she laid it as a peace offering on the altar of our common country.

Since the reorganization of the State government, Georgia has elected Senators and Representatives. So has every other State. They have been arbitrarily refused admission to their seats, not on the ground that the qualifications of the members elected did not conform to the fourth paragraph, second section, first article of the Constitution, but because their right of representation was denied by a portion of the States having equal but not greater rights than themselves. They have in fact been forcibly excluded; and, inasmuch as all legislative power granted by the States to the Congress is defined, and this power of exclusion is not among the powers expressly or by implication, the assemblage, at the capitol, of representatives from a portion of the States, to the exclusion of the representatives of another portion, cannot be a constitutional Congress, when the representation of each State forms an integral part of the whole.

This amendment is tendered to Georgia for ratification, under that power in the Constitution which authorizes two-thirds of the Congress to propose amendments. We have endeavored to establish that Georgia had a right, in the first place, as a part of the Congress, to act upon the question, "Shall these amendments be proposed?" Every other excluded State had the same right.

The first constitutional privilege has been arbitrarily denied, and therefore the second should be promptly declined. Had these amendments been submitted to a constitutional Congress, they never would have been proposed to the States. Two-thirds of the whole Congress never would have proposed to eleven States voluntarily to reduce their political power in the Union, and at the same time disfranchise the larger portion of the intellect, integrity and patriotism of eleven co-equal States.

Had they been constitutionally proposed, even then the Legislature of Georgia, acting for itself, never would, as it never will, ratify an amendment by which the State will be shorn of political power and a portion of her best citizens branded with dishonor.

If we have been successful in establishing our premises, the conclusion necessarily follows, that Georgia can only act upon the question as a State, one of the members of the United States Government; that as such State, these amendments are not properly before her, not having been proposed

by a constitutional Congress, and to act upon them when proposed in any other way, would be to participate in setting aside the Constitution, and to establish as a precedent, that the mandates of the Constitution are subordinate to the will of the Federal Legislature. The evil is directed at Georgia to-day ; to-morrow in some other shape. When a new party obtains power, it may be directed with equal force against States now free from its influence.

In recommending that these amendments be rejected for the reasons stated, your committee are animated by no captious spirit. If material sacrifices were demanded to promote harmony, Georgia would, in the future as in the past, stand ready to make the offering ; but, in the opinion of your committee, the State should not yield her constitutional rights, even though her citizens may thereby have to endure further provocations. Individual wrongs will pass away with time, but the overthrow of the Constitution is an enduring evil. If need be, let us wait and suffer, but let history teach the lesson, that under the Constitution, the States of this Union are co-equal, and that any war made to perpetuate the Union in its utmost success, can only *maintain* the States on their original relations to each other. We recommend the adoption of the following resolution :

Resolved, That the Legislature of Georgia declines to ratify the proposed amendment, adding a fourteenth article to the Constitution of the United States.

B. A. THORNTON,
Chairman Senate Committee.

JOHN J. GRESHAM,
O. L. SMITH,
GEO. S. OWENS,
JAMES DICKEY,
R. M. PARRIS,
W A. TURNER.

R. A. T. RIDLEY,
Chairman Committee House of Representatives.

R. J. MOSES,
JOHN DODDS,
WM. A. McDOUGALD,
JAMES K. McWHORTER,
LEWIS P. DOZIER,
HIRAM L. FRENCH,
THOMAS B. CABANISS,
JESSE A. GLENN,
W. H. MATTOX,
THO. W. J. HILL.

Mr. MOORE moved that the resolution contained in the report of the committee be adopted.

On motion of Mr. BLOUNT, the yeas and nays were required to be recorded; and are yeas, 38; nays, 0.

Those voting in the affirmative, are Messrs.

Barwick,	England,	Parris,
Beall, O. P.	Ezzard,	Patterson,
Bell, W. R.	Freeman,	Quillian,
Black,	Fuller,	Redding,
Blount,	Gresham,	Russell,
Bower,	Johnson, J. A. W.	Smith, O. L.
Brown,	Johnson, J. F.	Strickland,
Butler,	Kenan,	Strozier,
Carter,	Manson,	Thornton,
Casey,	McDaniel,	Turner,
Crawford,	Mims,	Vanduzer,
Daley,	Moore,	Wilcox.
Dickey,	Owens,	

Yeas, 38. Nays, none.

So the resolution was unanimously agreed to, and the Secretary was instructed to transmit the same forthwith to the House of Representatives.

Mr. CARTER moved that fifty copies of the testimony in the case of Creed T. Wise, a convict in the Penitentiary, be printed for the use of the Senate, which was agreed to.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Coweta Falls Manufacturing Company of Columbus, Georgia.

The Committee on Internal Improvements, to whom this bill was referred, propose to amend the first section by adding the words "the principal place of business of said company shall be at Columbus, Georgia," and with this amendment they recommend the passage of the bill.

On motion the amendment was agreed to.

The report of the committee, as amended, was agreed to; the bill was read the third time, and passed.

The following bill of the House of Representatives was read the second time, and referred to the Committee on the Judiciary, to-wit:

A bill to change the time of holding the Superior Court of the county of McIntosh, and legalize its proceedings.

Permission was granted Mr. PATTERSON to record his vote in the affirmative on the adoption of the resolution reported by the Joint Committee appointed to take into consideration the proposed amendment to the Constitution of the United States.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

SATURDAY, November 10th, 1866.

THE SENATE met pursuant to adjournment, and was opened with prayer by the Rev. Mr. YARBROUGH.

Leave of absence was granted to the Senators from the 7th and 18th Districts for a few days.

Mr. MOORE, Chairman of the Committee on the Judiciary, made the following report:

Mr. President: The Judiciary Committee have had under consideration certain bills which were referred to them, and direct me to report thereon, as follows:

A bill to amend section 3764 of the Code of Georgia by adding the words "or district," after the word "county," in the second line of said section: which they recommend do pass.

Also, a bill to prevent the destruction of fish in the county of Emanuel in times of low water: which they recommend do pass.

Also, a bill to provide for the citizens of McIntosh county to settle the question of the location of their county site: which they recommend do pass.

Also, a bill to repeal so much of the first section of an act, entitled an act to alter and amend the Penal Code of Georgia as relates to section 4248 of the Code of Georgia: which they recommend do pass.

Also, a bill to change section 2500 of the Code of Georgia: which they recommend do pass.

Also, a bill to add an additional section to the 10th division, part 4th, title 1st, of the Penal Code: which they recommend do pass.

Also, a bill to so far modify the laws against lotteries as to enable children of destitute soldiers, and the orphans of such as died in military service to receive a liberal education, which they propose to amend as follows:

1st. Let section first read thus:

Be it enacted by the Senate and House of Representatives in General Assembly met, and it is hereby enacted by the authority of the same, That Elihu P. Watkins, a soldier in the late war, and his associates, not less than two in number, to be by him selected, and in case of vacancy by death, resignation, removal or otherwise, their places to be supplied by the Governor, immediately after the passage of this act, be, and they are hereby, made and declared a body corporate by the name and style of the "Benevolent Educational Board," and by that name may sue and be sued, plead and be impleaded, adopt and use a common seal, and enact such rules and by-laws for its regulation, management, and succession as may be necessary and proper for the same.

2d. Add the following to the second section, "proper notice in two or more of the newspapers in this State of most general circulation being first given, of the readiness of said school for the reception of scholars." And the corporators aforesaid shall so regulate the reception of scholars as to afford to each of the counties of the State an opportunity of participating in the benefits of this act.

3d. After "ten years" in 4th section add, "and that said Board shall be required to make annual returns to the Governor of all moneys received, whether by proceeds of the lottery, gift, or otherwise, all expenses paid by them, and all investments made, and the interest derived therefrom, as well as the number of children receiving their education, with the name of the counties whence they came. And, upon the failure of said Board to make such returns, the Governor shall be authorized to withdraw this charter, or to dismiss said Board and appoint a new one who shall be entitled to all the franchises and privileges herein contained.

4th. Adopt two additional sections, as follows :

SEC. 5. Upon the expiration of this charter, (unless renewed,) or its revocation, the property obtained through said lottery, and moneys and valuables of any kind, held by said Board, to be turned over under oath to the Governor, to be by him appropriated to the management of a similar school, or to be distributed to the several counties of the State as an educational fund.

SEC. 6. *And be it further enacted,* That the property of this Corporation shall be exempt from taxation.

And, with the adoption of the foregoing amendments, your Committee recommend that the bill be passed.

B. B. MOORE, *Chairman.*

Mr. CASEY, from the Committee on Banks, made the following report :

Mr. President: The Committee on Banks, to whom was referred a bill to incorporate the Savings Bank of Lumpkin, have had the same under consideration, and propose to strike out the words "one thousand dollars," in the last section, and insert the words "five thousand dollars," and with this amendment they recommend the passage of the bill.

On a call of the roll, the following bills were introduced and severally read the first time, to-wit :

By Mr. BLOUNT—

A bill regulating the manner of convicts laboring upon public works.

Also, a bill to alter the time of holding the County Court in the county of Stewart.

By Mr. CARTER—

A bill to define the jurisdiction of courts in criminal cases of bastardy, and regulate certain proceedings therein.

Also, a bill for the discharge of insolvent debtors, and to dispose of said insolvents property.

Mr. STROZIER moved that one hundred copies of this bill be printed for the use of the Senate: which motion was agreed to.

By Mr. QUILLIAN—

A bill to add lot of land No. 231 in the 4th District, 2d section of Cherokee county, to the county of Pickens.

By Mr. STROZIER—

A bill to repeal an act, entitled an act to alter and amend sections 4596 and 4597 of the Code of Georgia, approved on the 15th day of February, 1866.

By Mr. THORNTON—

A bill to authorize and require the Judge to enter a certain case therein named, settled upon certain conditions.

Also, a bill to educate the indigent maimed soldiers of Georgia, and provide the means for the same.

By Mr. TURNER—

A bill to require executors and administrators to advertise the terms of their sales.

Also, a bill to amend section 1574 of the Code of Georgia.

Mr. J. A. W. JOHNSON submitted a memorial from the ladies of Resaca in reference to being aided in fixing the burial ground of the Confederate dead at Resaca, which was read and referred to the Committee on Finance.

Mr. J. F. JOHNSON submitted a memorial on the subject of the immigration of foreign laborers into this State, which was read and referred to the Committee on Agriculture.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have concurred in the amendments of the Senate to the bill to provide for an election by the citizens of Bartow county to settle the question of the location of their county site.

They have also, by a vote of ayes 147, nays 2, concurred in the joint resolution from the Senate declining to ratify the amendment whereby a fourteenth article is proposed to be added to the Constitution of the United States.

They have also concurred in the Senate resolution requesting the Governor to furnish certain information in reference to the Penitentiary.

Mr. CASEY reported the following resolution, which was taken up, read and agreed to, to-wit:

Resolved, That a seat upon the floor of the Senate be tendered to General A. R. Lawton during his stay at the capital.

Mr. SMITH, Chairman of the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President and attest of the Secretary of the Senate, the following acts, to-wit :

An act to alter and amend an act, passed December 18th, 1817, to amend an act passed November 27th, 1812, and to amend an act passed 18th December, 1820, to incorporate the town of Sandersville, in the county of Washington, and to vest certain powers in the Commissioners thereof.

Also, an act to change the time of holding the Superior Court for the county of Marion.

Also, an act to provide for an election by the citizens of Bartow county to settle the question of the location of their county site.

Also, an act to regulate confession fees and jury fees in Catoosa county.

The Senate took up the report of the Committee of the Whole on the bill to so far modify the laws against lotteries as to adopt a scheme to enable children of destitute soldiers and the orphans of such as died in military service to receive a liberal education.

The Committee on the Judiciary, to whom this bill was referred, reported the following as a substitute to the first section, to-wit :

Be it enacted by the Senate and House of Representatives in General Assembly met, and it is hereby enacted by the authority of the same, That Elihu P. Watkins, a soldier in the late war, and his associates, not less than two in number, to be by him selected, and in case of vacancy by death, resignation, removal or otherwise, their place to be supplied by the Governor, immediately after the passage of this act, be, and they are hereby, made and declared a body corporate by the name and style of the "Benevolent Educational Board," and by that name may sue and be sued, plead and be impleaded, adopt and use a common seal, and enact such rules and by-laws for its regulation, management and succession as may be necessary and proper for the same."

They also propose to add the following at the close of the 2d section, to-wit :

"Proper notice in two or more of the newspapers in this State of most general circulation being first given of the readiness of said school for the reception of scholars. And the corporators aforesaid shall so regulate the reception of scholars as to afford to such of the counties of the State an opportunity of participating in the benefits of this act."

They also propose to amend, after the words "ten years"

in the 4th section, by inserting the words, "and that said Board shall be required to make annual returns to the Governor of all moneys received, whether by proceeds of the lottery, gift, or otherwise, all expenses paid by them, and all investments made and interest derived therefrom, as well as the number of children receiving their education, with the name of the counties whence they came. And upon the failure of said Board to make such returns, the Governor shall be authorized to withdraw this charter, or to dismiss said Board and appoint a new one, who shall be entitled to all the franchises and privileges herein contained."

They also propose the following as additional sections, to-wit :

SEC. 5th. Upon the expiration of this charter, (unless renewed,) or its revocation, the property obtained through said lottery, and moneys and valuables of any kind held by said Board, to be turned over under oath to the Governor, to be by him appropriated to the management of a similar school, or to be distributed to the several counties of the State as an educational fund.

SEC. 6th. "*And be it further enacted,* That the property of this corporation shall be exempt from taxation," and with these amendments they recommend the passage of the bill.

On motion, the amendments were agreed to.

The report of the committee as amended was agreed to, the bill was read the third time, and upon the question, "Shall this bill now pass," the yeas and nays were required to be recorded, and are yeas, 16 ; nays, 18.

Those voting in the affirmative are Messrs.

Beall, O. P.,	Freeman,	Parris,
Black,	Fuller,	Patterson,
Bower,	Johnson, J. A. W.,	Strickland,
Carter,	Johnson, J. F.,	Strozier,
Ezzard,	Moore,	Vanduzer,
		Wilcox.

Those voting in the negative are Messrs.

Barwick,	Daley,	Quillian,
Bell, W. R.,	England,	Redding,
Blount,	Kenan,	Russell,
Brown,	Manson,	Smith, O. L.,
Butler,	McDaniel,	Thornton,
Casey,	Mims,	Turner,

Yeas, 16 ; nays, 18. So the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill to provide for an election by the citizens of McIntosh county to settle the question of the location of their county site.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to prevent the destruction of fish in times of low water in the county of Emanuel.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of the passage of the same.

The report of the committee was agreed to; the bill was read the third time and passed.

On motion, the rules were suspended, and Mr. BUTLER submitted a memorial from John B. Walker, of Morgan county, in reference to the location of the Georgia Orphan Home.

The Senate took up the report of the Committee of the Whole on the bill to amend section 3764 of the Code of Georgia, by adding the words "or district," after the word "county," in the second line of said section.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Savings Bank of Lumpkin.

The Committee on Banks, to whom this bill was referred, propose to amend the same by striking out "\$1,000," in the last section, and insert in lieu thereof "\$5,000," and with this amendment they recommend the passage of the bill.

On motion, the amendment was agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to change section 2500 of the Code of Georgia.

The Committee on the Judiciary, to whom this bill was referred, recommend that it do pass.

The report of the committee was agreed to; the bill was read the third time, and passed.

The Senate took up the report of the Committee of the Whole on the bill to repeal so much of the first section of an act, entitled an act to alter and amend the Penal Code of Georgia, as relates to section 4248 of the Code of Georgia.

The Committee on the Judiciary, to whom this bill was referred, recommend its passage.

The report of the committee was agreed to, the bill was read the time and passed.

The Senate took up the report of the Committee of the Whole on the bill to add additional sections to the 10th division, part 4th, title 1st, of the Penal Code.

The Committee on the Judiciary, to whom this bill was referred, report in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the resolution in reference to the establishment of a mail route from Reidsville to Johnson's Station, on the Albany & Gulf Railroad.

On motion, the same was agreed to, and the Secretary directed to transmit the same forthwith to the House of Representatives.

The following bills were severally read the second time and referred to the Committee on the Judiciary, to-wit:

A bill to relinquish the contingent interest of the State of Georgia in that portion of land below the city of Macon known as the States' Reserve, and to repeal the proviso to the 1st section and 2d section of the act "to vest that portion of and below the city of Macon known as the States' Reserve in corporate authorities of the city of Macon," approved March 6th, 1856.

A bill for the pardon of Creed T. Wise, a convict in the Penitentiary for the crime of murder.

A bill amendatory of an act, approved the 12th day of March, 1866, for the relief of executors, administrators, guardians and trustees in certain cases.

A bill to allow the redemption of real estate sold under execution within a specified time.

The following bills were severally read the second time and referred to the Committee on Internal Improvements, to-wit:

A bill to extend the aid of the State to the Savannah, Griffin & North Alabama Railroad, and for other purposes.

A bill to extend the aid of the State to the completion of the Air Line Railroad, and for other purposes.

The following bill of the House of Representatives were severally read the first time, to-wit:

A bill to alter and amend an act, entitled an act to incorporate the town of Hawkinsville, in the county of Pulaski, to appoint Commissioners for the same, and to confer certain privileges upon said Commissioners.

Also, to incorporate the town of Grooversville, in Brooks county, and for other purposes, approved December 8, 1859.

A bill to extend the time within which Tax Collectors in this State shall be required to make their final returns to the Comptroller General for the present year.

A bill to appoint a day for the holding of elections by the General Assembly.

A bill to make the Justices of the Peace in Marion county *ex officio* road commissioners for their respective districts in said county.

A bill to regulate the pay of grand and petit jurors of the county of Meriwether, and to repeal conflicting laws.

A bill to amend an act, entitled an act to amend the charter of the Georgia Western Railroad, passed December 20, 1860.

A bill to reduce the tax and define the powers of the Town Council of Cartersville, in Bartow county.

A bill to make valid contracts of apprenticeship made by citizens of Georgia with agents of the Freedmen's Bureau.

A bill to change the time of holding the Superior Court in Clay county.

A bill to amend an act, entitled an act to legalize and make valid certain acts of Notaries Public in this State, and for other purposes, approved 17th March, 1866.

A bill to define the residence of corporations, and perfect service on the same.

A bill to amend an act, entitled an act to incorporate the Water Lot Company of the city of Columbus, approved December 27th, 1845.

On motion, the Senate adjourned until Monday morning at ten o'clock.

MONDAY, November 12th, 1866.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Yarbrough.

Mr. BOWER moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill to so far modify the laws against lotteries as to adopt a scheme to enable children of destitute soldiers and the orphans of such as died in military service to receive a liberal education, which motion was agreed to.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills:

A bill to amend an act, entitled "An Act for the relief of maimed indigent soldiers and officers, citizens of this State, who belonged to military organizations of this State in the State or Confederate States armies."

A bill to repeal the 1391st section of the Code of Georgia, and to provide compensation for taking up estrays.

A bill to amend an act, entitled an act to incorporate the Southern Mutual Insurance Company, as approved December 29th, 1847.

A bill to incorporate the Moss-gill Manufacturing Company.

A bill to alter and amend section 4641 of the Code of Georgia.

A bill to alter and amend the 638th section of the Code of Georgia.

A bill to alter and amend the 324th section of the Code of Georgia.

A bill to amend 4451st section of the Code of Georgia.

A bill for the relief of Benjamin L. Cook, of the county of Quitman.

A bill to alter and amend section 3807 of the Code of Georgia.

A bill to alter and amend section 4283 of the Code of Georgia.

A bill to prevent the obstruction of Spring Creek so far as relates to the counties of Miller, Decatur and Early.

A bill to amend the second section of an act to incorporate the Georgia Home Insurance Company of the city of Columbus, assented to December 12th, 1859.

A bill to incorporate the town of Marshallville, in the county of Macon.

They have also concurred in the amendment of the Senate to the following bill of the House of Representatives:

A bill to incorporate the Coweta Falls Manufacturing Company of Columbus, Georgia.

Mr. OWENS, from the Committee on the Judiciary, made the following report:

Mr. President: The Judiciary Committee to whom were referred certain bills, have had them under consideration and direct me to report thereon, as follows:

A bill to change the time of holding the Supreme Court so far as the Macon, Southwestern and Chattahoochee Circuits are concerned: which they recommend do pass.

Also, a bill to allow the redemption of real estate sold under execution within a specified time: which they recommend do pass.

Also, a bill to alter and amend an act for the relief of the people of Georgia and prevent the levy and sale of property within a limited period, passed March 8th, 1866, which they propose to amend as follows: Add this section—

And be it further enacted, That the figures "1865," in fifth line of first section, be struck out and the figures "1866" inserted in lieu thereof.

And, with the adoption of this amendment, they recommend the passage of the bill.

The committee have also considered the three following bills, to-wit:

A bill to amend the law in regard to property exempt from levy and sale.

A bill to exempt from levy and sale certain property of every debtor in this State, and for other purposes; and

A bill for the pardon of Creed T. Wise, a convict in the Penitentiary for the crime of murder, which three bills they report back to the Senate without recommendation, and ask to be discharged from further consideration thereof in committee.

The committee have also considered a resolution from the House of Representatives authorizing I. W. Avery to lay before a committee a Digest of the decisions of the Supreme Court, and recommend the adoption of the following in lieu thereof:

WHEREAS, I. W. Avery, Esq., has prepared a Digest of the decisions of the Supreme Court, which he claims presents important improvements upon Digests heretofore prepared; therefore,

Resolved by the General Assembly, That said I. W. Avery, Esq., is hereby authorized to lay said Digest before a committee of five to be appointed by the Speaker of the House and President of the Senate—say three by the Speaker and two by the President—and that said committee report to the present General Assembly if practicable.

Also, a memorial from Samuel C. Elam in relation to a new codification of the laws of the State, and the committee recommend the passage of the following resolution, to-wit:

WHEREAS, Samuel C. Elam, of the county of Sumter, is engaged in the revision of the Code of Georgia, and memorializes the Legislature to subscribe for copies of said work, if the same shall be deemed expedient, it is therefore,

Resolved, That when said work shall be presented for examination it shall be the duty of the Legislature to appoint a committee of five—say three from the House of Representatives and two from the Senate—to examine and report to the General Assembly thereon.

Also, a bill to change the time of holding the Superior Court of McIntosh county and legalizing its proceedings: which they recommend do pass.

GEORGE S. OWENS, *Chairman*,

The following message was received from the House of Representatives, through Mr. WADDELL, the Clerk thereof:

Mr. President: The House of Representatives have agreed to a joint resolution relative to furnishing the committee

rooms with a suitable number of chairs and desks, in which they ask the concurrence of the Senate.

The following message was received from his Excellency, the Governor, by Mr. Hunter, his Secretary, to-wit:

Mr. President: I am directed by the Governor to deliver to the Senate a communication in writing, with accompanying documents.

On motion, the message was taken up and read as follows, to-wit:

EXECUTIVE DEPARTMENT,
MILLEDGEVILLE, 12th Nov., 1866.

Senators and Representatives:

I transmit to you herewith, the report of the Commissioners appointed under a resolution adopted at your last session, "to examine and report upon the propriety of removing the present Penitentiary, and locating it elsewhere, or of establishing an additional one."

I am constrained to say, that I do not concur in some of the views presented by them, though it is not without distrust of the correctness of my own opinion, that I venture to differ from gentlemen of such unquestionable ability.

First. In the event of the establishment of a Penitentiary at some other locality, which I think altogether expedient, I do not approve the proposition to abandon the present one altogether. If this be done, there will doubtless be an almost total sacrifice of the investment in the grounds and buildings now appropriated to that object. For that purpose, it is very valuable property; for any other, it would be nearly valueless. It should not, at this time, be regarded as in a dilapidated condition. At a trifling expense, the only portion of the improvements which now wears the aspect of a ruin, could be put in thorough repair. If it be retained and used as heretofore, the cost of building a new one elsewhere will be very much lessened. Agreeing with the Commissioners in the opinion that white and colored convicts should be kept and employed separately, I suggest that this object may be more thoroughly attained by having two State prisons, at different localities. The quarrying of granite, limestone, and other materials, so forcibly recommended in the report, might be advantageously done by colored convicts, in a new locality, whilst, in the present one, other employments might be prosecuted.

Again, I must dissent from the propriety of dispensing altogether with employment in the mechanic arts in this institution. I yield to no one in appreciation of those arts, or in respect for those who worthily pursue them, but I do not perceive that they will be degraded by having their handicraft taught to or practiced by convicts. Similarity

of occupation does not, by any means, necessitate social intercourse, or imply social equality.

If mechanical pursuits are degraded by the engagement in them of discharged convicts, so must any and all other pursuits; and the question then arises, what are such persons to do? Does the master carpenter or master mason who employs a discharged convict, and who daily superintends and controls his labor, sink to his level? If so, then the planter who may employ him to till his lands or tend his flocks and herds, would do likewise. The same reasoning might be applied to any other branch of industry, and the same policy extended would lead to no employment during the term of imprisonment, and no adaptation to employment of any kind when it shall have ended. Better far at once imprison them for life, or even take away that life, than so to shape your legislation as to discourage their future engagement in respectable employments.

It is urged with great force, that our mineral resources require development, and the suggestion is, that convict labor be employed for that purpose; but if the reasoning of the report in regard to the mechanic arts be applied to this branch of industry, it would seem that the adoption of the policy recommended would at once render infamous the business of mining and quarrying, which are admitted to be important and worthy of encouragement.

If a Penitentiary were established elsewhere, adapted to the safe keeping and comfortable accommodation of persons of color, and with a view to the quarrying and dressing of mineral substances, it will be very easy, should future experience render it advisable, to enlarge the new and abandon the old establishment. Then, too, the times may be more propitious to the sale of the latter. For the present, I recommend the retention and continued use of it, upon the plan heretofore pursued. If it be asked, why select the mechanic arts for their instruction and employment, the answer is ready. It is, that they are eminently fitted to be prosecuted within a small area, which may be easily and securely walled in.

I agree with the Commissioners, that there are subjects of punishment extremely vicious and obdurate, to whom solitary confinement without labor, and complete isolation, would be more terrible and more efficacious. In such cases, it would also secure the great desideratum of preventing their evil influence upon others. These cases are probably rare, but the wise and humane exercise of discretion by your Judges, would probably avoid its too frequent infliction. Without enlarging further, I think you will find in the report useful suggestions, the adoption of which would improve the system.

I also transmit herewith, copies of the reports of the

Trustees of the Academy for the Blind, and of Messrs. Washington Poe, James Jackson, and James T. Nisbet, appointed under a resolution adopted at your last session to examine and report upon a digest of the Reports of the Supreme Court, prepared by A. O. Bacon, Esq.

I call the attention of the General Assembly to the books, accounts, vouchers and Confederate Treasury Notes, returned to this Department by Colonel Jared I. Whitaker, Commissary General of the State during the late war. It will be seen by reference to the report of Messrs. Saffold, Lochrane and Jordan, appointed by the Convention of 1865, a committee to investigate the financial affairs of the State, that Colonel Whitaker's books and accounts were rigidly examined by them, and found to be clear and correct. Indeed, the exhibit made by him elicited their decided commendation, which I doubt not was well merited. During your recess, Colonel Whitaker sent to this Department sundry boxes, said to contain those books, papers and Confederate Treasury Notes. The financial committee recommended that the books and papers be filed away. I presume from your past action, it will be your pleasure to order the Treasury Notes burned. There are returned by Colonel Whitaker, as now in Atlanta under his control, certain articles of property belonging to the State, which should be sold. They consist of a letter press and official desk, a secretary, a table, two large iron safes, a trunk, etc. There is also a balance due for office rent and other incidental expenses. I submit the entire matter for your action, and recommend that provision be made for the sale of this property, and payment of properly authenticated demands for rent, etc. Colonel Whitaker is entitled to have this whole business closed and to a final acquittance and discharge.

CHARLES J. JENKINS.

On motion, fifty copies of the message from his Excellency, the Governor, together with the accompanying report of the committee in reference to the Penitentiary, were ordered to be printed for the use of the Senate.

On motion of Mr. REDDING, the subject matter contained in the Governor's message was referred to the appropriate standing committees.

Mr. J. A. W. JOHNSON, from the Joint Committee, to whom was referred the question of the abolition of the County Court or its modification, has directed its chairman to make the following report:

The committee, by a majority, recommend that the Court be retained with modifications. They report back the various bills referred to them on the subject of the County Court, with a recommendation that they do not pass. In lieu of

said bills, they have instructed their chairman, by a majority vote, to offer the bill herewith submitted as a substitute for the several bills referred to them.

All of which is respectfully submitted.

J. A. W. JOHNSON,
Chairman Joint Committee.

The following bill, reported as a substitute by the Joint Special Committee, was then read :

A BILL

To be entitled an act to amend an act, passed 17th March, 1866, creating the Court called the County Court.

SECTION 1. *Be it enacted by the General Assembly of the State of Georgia,* That from and after the 1st day of January, 1867, the County Court shall have jurisdiction in matters of debt only at its semi-annual sessions, except as relates to cases arising out of the relation of master and servant, whether suits for wages, applications to enforce performance or other purposes, and also excepting applications for ejecting trespassers, intruders and tenants holding over for partitioning personal property for the trial of possessory warrants, in which excepted cases the jurisdiction of the County Court shall remain as originally created, to be disposed of by the county Judge without a trial by jury; either party, plaintiff or defendant, to have the same right of appeal and *certiorari* as now exists under the act aforesaid in said excepted cases.

SEC. 2. That no grand or petit jurors shall be drawn to attend at any session of the County Court except at its semi-annual sessions, and such other special terms as may be held in accordance with the provisions of this amending act, and whatever powers have hitherto been vested in the County Judge and any other officers to draw juries, and for any term, are hereby fully continued in said officers to draw, and summon jurors for semi-annual sessions or special sessions to be held in accordance with the amending act.

SEC. 3. That the County Judge may at any time hear and determine the cases of all persons charged with crimes upon accusations drawn up by the County Solicitor without a jury; provided the person or persons so accused shall in open court declare that he or she or they waive an indictment or presentment by a grand jury and arraignment and trial by a petit jury, which declaration shall be entered on the accusation, and, also, on the minutes of said County Court.

SEC. 4. That special terms of the County Court may be held by the County Judge whenever requested by the Justices of the Inferior Court of any county, or a majority of them for the purposes of jail delivery of criminals; at which terms grand and petit and talis jurors, as have hitherto been drawn

and summoned, may be drawn and summoned in accordance with the second section of this amending act and the act creating the County Court.

SEC. 5. That section thirty-one of the act of 19th March, 1866, be, and is hereby, so amended as to read at the conclusion thereof, or pass such order as is consistent with justice.

SEC. 6. That in criminal cases the costs of County Solicitor, Judge, and Clerk, shall be as follows: Solicitors, for every accusation, five dollars; Judge, for every accusation, four dollars; Clerk, for every accusation, ——— dollars.

SEC. 7. All laws and parts of laws militating against this act be, and the same are hereby, repealed.

Mr. J. A. W. JOHNSON submitted the following as the minority report of the committee:

The undersigned, a minority of the Joint Committee, appointed under joint resolution to take into consideration the practical workings of the County Court and to report to the General Assembly, by bill or otherwise, as to the abolition of said court, or such modifications of said court as would strip it of the most weighty objections to it.

The committee has had the matter referred to under consideration. A majority of the committee believe it best to retain the County Courts, with a few modifications. The undersigned, minority of the committee, have had free and full communications with the representatives from different sections of the State, and believe, from the information so received, that a very large majority of the people are much dissatisfied with the workings of said courts, and desire that it be done away with entirely, or that it be so modified as to divest it of its most objectionable features.

The principal objections to the courts are its tardiness in disposing of litigated civil and criminal business, thereby imposing on jurors, parties and witnesses an unnecessary consumption of time and money. That the trials of important cases are seldom final, and the same cases have to undergo another trial by appeal or *certiorari* in the Superior Court. In cases of *certiorari* they are often sent back for another trial in the County Court, all at additional expense. That in cases for fifty dollars and less, plaintiffs are enabled, by suing in that court, to impose on defendants heavier costs, at least to the amount of the stamps, and to bring them from remote parts of the county, at a heavy expense, to defend small cases. And all this at a time when from the general poverty of the people, consequent upon a long term of service in our late armies and the destruction of property caused by the late war, and the breaking up of our labor system, and the heavy taxation on them, which they are little able to bear.

The greatest ground of complaint, however, is the extent

of jury duty imposed and the expense consequent thereon. Another serious objection to the court is, that it lowers the dignity of judicial trials and breeds petty strifes which would never be carried to the Superior Courts.

To remedy all these evils the undersigned recommend that the law organizing said County Courts be so amended as to divest those courts of jurisdiction in all cases requiring a jury trial.

The creation of County Courts grew out of the apprehension that as a consequence of the termination of the war, and the emancipation of slaves, small offenses would largely increase, and that the quiet and prosperity of the country required speedy trials and prompt punishments, and that the County Courts would try speedily and punish promptly. This apprehension was well founded, and to a considerable extent the County Courts have met these expectations, but at an insufferable expense and inconvenience to the people.

If, however, the amendments alluded to are made, and the County Courts divested of jurisdiction in jury cases, some other remedy should be applied.

We, therefore, recommend that the Superior Courts be required to hold four sessions a year in each county, and special terms as heretofore provided by law. Two of these terms or sessions for the transaction of civil and criminal business as heretofore, and the two additional terms for the transaction of criminal business only.

In making this recommendation, we assume, that in consequence of the honor and salary incident to a Judgeship of the Superior Courts, that office will command talent at least equal to its duties; and that, owing to the uncertainty and meagreness of the compensation of the County Court Judges, the confinement incident to the office, and the labor imposed in consequence of the extent and variety of its jurisdiction, that persons of sufficient attainments will seldom seek the office; and, therefore, the same amount of business will be done in the Superior Courts in one-half or perhaps one-fourth the time consumed in the County Courts, with the additional advantage that the trial will generally be final in the Superior Courts, especially in criminal cases; and this result would be an immense saving, both in time and money, to the people—a desideratum at this time.

To effect this desirable object, it will probably be necessary that some change be made in most if not all the judicial circuits of this State. It may be necessary to add some new circuits, all of which may be done without interfering with the existing circuits, further than by lessening the number of counties now contained in them, and out of these forming such new circuits as may be necessary.

We would further recommend that in cities and populous

counties, where the people desire it, that special Courts be created, or the County Courts, with their present jurisdiction, be retained.

We, therefore, recommend the passage of two bills herewith reported, one entitled an act to amend "An Act to organize a County Court, define its jurisdiction, and for other purposes," approved the 17th March, 1866.

This bill is recommended as a substitute for the various bills referred to the committee on the same subject.

The other an act to redistrict the State, and to add six additional Judicial Circuits, and for other purposes.

All of which is respectfully submitted.

J. A. W. JOHNSON,

J. E. BOWER,

R. G. FORD,

Minority of Committee.

The following are the bills reported by the minority of the Joint Special Committee on County Courts, as substitutes for bills referred, to-wit :

A BILL

To establish six additional Judicial Circuits, and to increase the number of sessions of the Superior Courts.

SECTION 1. *Be it enacted by the General Assembly of the State of Georgia,* That the State be redistricted, and that there be six additional Judicial Circuits added.

SEC. 2. That the labors of the Judges in the twenty-two Judicial Circuits be as nearly equalized as practicable.

SEC. 3. That the Superior Courts shall hereafter be held quarterly, and that two sessions of the same shall be for the trial of civil and criminal cases as heretofore, and that two of the quarterly sessions shall be solely for the trial of criminal cases.

SEC. 4. Repeals conflicting laws.

Also,

AN ACT

To amend an Act entitled "An Act to organize a County Court, define its jurisdiction, and for other purposes," approved 17th March, 1866.

SECTION 1. *Be it enacted by the General Assembly,* That the County Courts referred to in said act shall have no jurisdiction in civil or criminal cases in which a jury may be required; nor shall said Court have the power or right to draw or summon juries, Grand nor Petit. Said Courts shall retain the power to hear *habeas corpus* cases, to exercise the powers incident to a committal court, and in addition to the powers of a committal court, when the person charged with

a crime or misdemeanor short of a felony, shall, before the Judge of said Court, waive, in writing, on an accusation to be drawn by the County Solicitor, a presentment or bill by Grand Jury, and a trial by Petit, it shall then be the duty of said Court to hear and determine the facts, as well as the law, and give judgment accordingly.

SEC. 2. *Be it further enacted*, That this act shall take effect from and after the 15th day of March next; and, if at that time there shall remain on the dockets of said County Courts any cases undisposed of, in which the jurisdiction is taken away, it shall be the duty of the several Judges of the County Courts to transmit all criminal cases, (except as heretofore excepted) together with all papers therewith connected, to the Superior Courts of the several counties in this State, and it shall be the duty of the Superior Courts to hear and determine the same. And all civil cases over a Justices' Court jurisdiction, shall, in like manner, be transmitted to the several Superior Courts, and all cases then undisposed of under a Justices' jurisdiction, shall be in like manner transmitted to the Justices' Court in the county having jurisdiction of each defendant. When no Justices' Court in the county has jurisdiction of the defendant, such case shall in like manner be transmitted to the Justices' Court in the militia district including the county site.

SEC. 3. In criminal cases to be transferred as aforesaid, where defendants are under recognizance to appear at the County Court, said recognizance shall compel their attendance from term to term of the Superior Courts; and in default thereof, said recognizance shall be forfeited in the same manner as if it had been taken for the appearance of the accused to said Superior Court.

SEC. 4. *Be it further enacted*, That after this act shall go into effect, the jurisdiction of the Justices' and Superior Courts shall be as they were before the act of March 17th, 1866, and that the jurisdiction of the Inferior Courts shall remain as fixed by the act of March 17th, 1866.

SEC. 5. Repeals conflicting laws.

Mr. STROZIER moved that fifty copies of the report and the bills submitted be printed for the use of the Senate.

The Senate took up the report of the Committee of the Whole on the bill to allow the redemption of real estate sold under execution, within a specified time.

On motion, the same was made the special order for Tuesday, November 20th, and fifty copies of the same were ordered to be printed for the use of the Senate.

The Senate took up the report of the Committee of the Whole on the bill for the pardon of Creed T. Wise, a convict in the Penitentiary for the crime of murder.

On motion, the bill was made the special order for Friday next.

The Senate took up the report of the Committee of the Whole on the bill to amend the law in regard to property exempt from levy and sale.

On motion, the bill was made the special order for Thursday, November 15th, and fifty copies of the same were ordered to be printed for the use of the Senate.

The Senate took up the report of the Committee of the Whole on the bill to alter and amend an act for the relief of the people of Georgia, and prevent the levy and sale of property within a limited period, passed March 8th, 1866.

On motion, the same was made the special order for Thursday next, and fifty copies of the bill were ordered to be printed for the use of the Senate.

The Senate took up the report of the Committee of the Whole on the bill to exempt from levy and sale certain property of every debtor in this State, and for other purposes.

The Committee on the Judiciary, to whom this bill was referred, reported the same back to the Senate, without recommendation.

Mr. O. P. BEALL moved to strike out the words "one hundred and fifty," and insert the words "one hundred and sixty."

On motion, the bill was made the special order for Thursday next, and fifty copies ordered to be printed for the use of the Senate.

The Senate took up the report of the Committee of the Whole on the bill to change the times of holding the Supreme Court, so far as relates to the Macon, Pataula and South-western Circuits.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to change the time of holding the Superior Court of the county of McIntosh and legalize its proceedings.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

Mr. MOORE submitted a memorial from the colored people of the State of Georgia, which was, on motion, referred to the Committee on the Judiciary, without being read.

Mr. J. F. JOHNSON reported the following resolution :

Resolved, That so much of the Governor's message, referring to the late Commissary General, Colonel J. I. Whitaker, and his final settlement with the State, be referred to a joint committee of three from the House and two from the Senate, to report thereon.

On motion, the rules were suspended, and the resolution was taken up, read and agreed to, and the Secretary was directed to transmit the same forthwith to the House of Representatives.

The committee appointed under the foregoing resolution consists of Messrs. J. F. Johnson and Bower.

On motion, the rules were suspended, and the following bills were introduced and severally read the first time, to-wit:

By Mr. STROZIER—

A bill to authorize merchants and shop-keepers to vend drugs and medicines, and for other purposes.

By Mr. TURNER—

A bill in reference to Confederate contracts.

By Mr. VANDUZER—

A bill to consolidate the offices of Clerk of the Superior and of the Inferior Courts of Elbert county.

By Mr. CARTER—

A bill to relieve certain counties in this State from the payment of State taxes for the years 1867 and 1868, to enable them to rebuild court houses and jails.

The Senate took up the resolution of the House of Representatives relative to furnishing the committee rooms in the State House with chairs.

Mr. CARTER moved to amend by inserting after the word "desk" the words, "and to remove the books and all useless rubbish from the same", which was agreed to.

On motion, the resolution, as amended, was concurred in.

The following bill was read the second time, to-wit:

A bill to alter the time of holding the County Court in the county of Stewart.

The following bills were severally read the second time and referred to the Committee on the Judiciary, to-wit:

A bill regulating the manner of convicts laboring upon public works.

A bill to define the jurisdiction of courts in criminal cases of bastardy, and regulate certain proceedings therein.

A bill for the discharge of insolvent debtors, to regulate the mode and manner thereof, and the disposition of said insolvents' property, and for other purposes.

A bill to repeal an act entitled an act to alter and amend sections 4596 and 4597 of the Code of Georgia, approved the 15th day of February, 1866.

A bill to authorize and require the Judge to enter a certain case therein named, settled upon certain conditions.

A bill to require executors and administrators to advertise the terms of their sales.

A bill to amend section 1574 of the Code.

The following bill was read the second time, and referred to the Committee on New Counties and County Lines, to-wit:

A bill to add lot of land No. 231, in the 4th district, 2d section of Cherokee county, to the county of Pickens.

The following bill was read the second time, and referred to special joint Committee on Education, to-wit:

A bill to educate the indigent maimed soldiers of Georgia, and provide the means for the same.

The following bills of the House of Representatives were read the first time, to-wit:

A bill to alter and amend section 4283 of the Code of Georgia.

A bill to alter and amend the 638th section of the Code of Georgia.

A bill for the relief of Benjamin L. Cook, of the county of Quitman, and to save him from the pains and penalties of bigamy.

A bill to amend the second section of an act to incorporate the Georgia Home Insurance Company, of the city of Columbus, assented to December 12th, 1859.

A bill to incorporate the Mosskill Manufacturing Company.

A bill to incorporate the town of Marshallville, in the county of Macon.

A bill to alter and amend the 324th section of the revised Code of Georgia.

A bill to repeal the 1391st section of the Code of Georgia, and to provide compensation for taking up estrays.

A bill to alter and amend section 4641 of the Code of Georgia.

A bill to alter and amend section 3807 of the Code of Georgia.

A bill to amend an act entitled an act to incorporate the Southern Mutual Insurance Company, as approved December 9th, 1847.

A bill to amend an act entitled "An act for the relief of maimed indigent soldiers and officers, citizens of this State, who belonged to military organizations of this State, in the State or Confederate armies," by striking out the word "indigent" wherever occurring in said act, and for other purposes.

A bill to prevent the obstruction of Spring creek, so far as relates to the counties of Miller, Decatur and Early.

A bill to amend the 4451st section of the Code of Georgia.

The following bills of the House of Representatives were severally read the second time, to-wit :

A bill to change the time of holding the Superior Court in Clay county.

A bill to amend an act entitled an act to amend the charter of the Georgia Western Railroad, passed December 20, 1860.

A bill to reduce the tax and define the powers of the Town Council of Cartersville, in Bartow county.

A bill to extend the time in which tax collectors in this State shall be required to make their final returns to the Comptroller General for the present year.

A bill to amend an act entitled an act to legalize and make valid certain acts of Notaries Public in this State, and for other purposes, approved 17th March, 1866.

A bill to appoint a day for the holding of elections by the General Assembly.

A bill to make the Justices of the Peace in Marion county *ex officio* road commissioners for their respective districts in said county.

A bill to alter and amend an act entitled an act to incorporate the town of Hawkinsville, in the county of Pulaski, to appoint commissioners for the same, and to confer certain privileges upon said commissioners.

Also, to incorporate the town of Grooversville, in Brooks county, and for other purposes, approved December 8th, 1859.

A bill to amend an act entitled an act to incorporate the Water Lot Company, of the city of Columbus, approved December 27th, 1845.

The following bills of the House of Representatives were severally read the second time, and referred to the Committee on the Judiciary, to-wit :

A bill to make valid contracts of apprenticeships made by citizens of Georgia with agents of the Freedmen's Bureau.

A bill to define the residence of corporations, and to perfect service on the same.

A bill to regulate the pay of grand and petit jurors of the county of Meriwether, and to repeal conflicting laws.

Mr. BUTLER reported the following resolution, to-wit :

Resolved, That the Committee on Internal Improvements enquire into the expediency of employing the chain gang in the Penitentiary, and other convicts therein, on the grading and other work upon a railroad from the town of Eatonton to Madison, on the Georgia Railroad. That upon this subject said committee is instructed to ask for information from his

Excellency, the Governor, and that they report by bill or otherwise at an early day.

On motion, the rules were suspended, and the resolution was taken up, read and agreed to.

Leave of absence was granted to the Senator from the 24th district for a few days.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

TUESDAY, November 13, 1866.

THE SENATE met pursuant to adjournment, and was opened with prayer by the Rev. Mr. BROOKS.

On a call of the roll, the following bills were introduced and read the first time, to-wit:

By Mr. EZZARD—

A bill to change the line between the counties of Cherokee and Milton so as to include the residence and farms of Matthias Bates, Lewis M. Hook, Charles Nix and R. J. Bates, of the county of Cherokee, within the county of Milton, with a petition accompanying the same.

By Mr. GRESHAM—

A bill to amend an act, entitled an act to incorporate in the State of Georgia an insurance company, to be called the Great Southern Insurance Company.

By Mr. GRIFFIN—

A bill to authorize and require the Governor of the State of Georgia to call a Convention of the people of this State, and for other purposes.

Also, a bill to change the line between the counties of Twiggs and Wilkinson, and for other purposes.

By Mr. J. A. W. JOHNSON—

A bill to incorporate the Memorial Association of Resaca, and confirm the titles to land.

Also, a bill to incorporate the Etowah Canal and Water Works Company.

Also, the following resolution:

Resolved by the General Assembly, That each member of the Legislature leave with the Treasurer of the State of Georgia two per diems to be paid over by the Treasurer to the Chairman of the Trustees of the Georgia Orphan Home.

Resolved, further, That the Secretary, Clerk, their assist-

ants and subordinates, together with the door-keepers and messengers, have the pleasure of doing the same.

Resolved, further, That the Treasurer keep a correct list of all who see proper to comply with this resolution, and return the same in his next annual report.

By Mr. STROZIER—

A bill to explain section 2d of an act passed in 1866, approved March 17th, entitled an act to define the term person of color, and declare the rights of such persons.

Also, a bill to repeal the 2d section of an act, approved 17th of March, 1866, entitled an act to authorize any sheriff, constable, and other arresting officer of any county in this State, to arrest in any county, wherever found, any person charged with crime, under a warrant issued by any judicial officer.

Mr. OWENS, from the Committee on the Judiciary, made the following report:

Mr. President: The Judiciary Committee, to whom was referred certain bills, have had the same under consideration, and direct me to report thereon, as follows:

A bill to require executors and administrators to advertise the terms of their sales: which they recommend do pass.

Also, a bill to repeal section 1439 of the Code: which they recommend do not pass.

Also, a bill to repeal the 5th section of an act, entitled an act to repeal an act, etc., approved February 17, 1854: which they recommend do pass.

Also, a bill to repeal an act, entitled an act to alter and amend sections 4596 and 4597 of the Code of Georgia, approved February 15th, 1866: which they recommend do not pass.

Also, a bill to authorize and require the Judge to enter a certain case therein named "settled" upon certain conditions: which they recommend do pass.

Also, a bill to amend section 1574 of the Code, which they propose to amend by striking out "five hundred" (dollars) and inserting "two hundred and fifty" (dollars) in first section, and, with the bill so amended, they recommend its passage.

Also, a bill to alter and amend the first section of an act, passed over the veto of his Excellency, the Governor, by a vote of two-thirds, March 6th, 1866, entitled an act for the relief of the people of Georgia, and to prevent the levy and sale of property under certain circumstances and within a limited period, which they report back to the Senate, and suggest that it be considered in connection with other bills on the same subject which are made the special order for ———

Also, a petition from citizens of Forsyth county to make

valid a judgment obtained in the Inferior Court of said county after its jurisdiction had been withdrawn by act of the Legislature, which petition they return to the Senate with the opinion that it is not in the power of the Legislature to grant the relief sought.

GEORGE S. OWENS, *Chairman*.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills:

A bill to amend the 16th section of an act incorporating the town of Adairsville, in Bartow county.

A bill to consolidate the offices of the Clerk of the Superior Court and Inferior Court in and for the county of Henry.

A bill to authorize guardians and others to compromise claims under certain circumstances.

A bill to amend the road laws of this State.

They have also concurred in the Senate resolution referring that portion of the Governor's message in relation to Colonel Jared I. Whitaker, late Commissary General, and his final settlement with the State, to a joint committee. The committee on the part of the House are Messrs. Hill, Barnes, and Russell, of Muscogee.

They have also concurred in the resolution of the Senate requesting a mail route to be established from Reidsville to Johnson Station, on the Albany & Gulf Railroad.

They have also passed the following bill, to-wit:

A bill to be entitled an act to repeal the 29th section of an act to incorporate the Columbia & Augusta Railroad Company, which I am directed to transmit forthwith to the Senate.

The Senate took up the report of the Committee of the Whole on the bill to repeal the 5th section of an act to repeal an act, entitled an act, etc., approved February 17, 1854.

The Judiciary Committee, to whom this bill was referred, recommend the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to alter the time of holding the County Court in the county of Stewart.

The report of the committee was agreed to, the bill was read the third time and passed.

Mr. DICKEY, Chairman *pro tem.*, from the Committee on Finance, submitted the following report:

Mr. President: The Committee on Finance have had under consideration the following bill, to-wit:

A bill to be entitled an act to repeal the tax assessed on cotton as merchandise: which they recommend do pass.

JAMES DICKEY,

Chairman Finance Committee, pro. tem.

Mr. O. L. SMITH, from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President of the Senate and the Speaker of the House of Representatives, the following resolutions, to-wit:

A resolution in reference to the proposed amendment to the Constitution of the United States.

Also, a resolution requesting the Governor to furnish certain information to the General Assembly in reference to the Penitentiary.

The following message was received from his Excellency, the Governor, by Mr. Hunter, his Secretary, to-wit:

Mr. President: I am directed by the Governor to deliver to the Senate a communication in writing, with accompanying documents.

On motion, the message was taken up and read, as follows:

EXECUTIVE DEPARTMENT,

MILLEDGEVILLE, GEORGIA, November 13th, 1866.

To the General Assembly:

I came into office under the impression, that the vexed question of the boundary between Florida and Georgia had been amicably and finally settled. I was therefore greatly surprised to find, during the late spring, that the inhabitants of a narrow strip of territory, which I suppose may be called "*the debatable ground*," were being called upon by the receivers of tax returns for both States to make return of their taxable property. This produced no little anxiety and excitement among those good citizens, who would be highly appreciated by either State. There was in this a conflict of authority, which, if not checked, might in time have imperilled the peace of the border. Under this impression, I proposed to Governor Walker, of Florida, that all action in reference to taxation be suspended until I could carefully investigate the subject, with the history of which I was not very familiar. Governor Walker, in the spirit of amity and courtesy, which it is to be hoped will always obtain between the States, promptly acceded to the proposition. My investigations have satisfied me, that this is no longer to be regarded as an open question. It is unnecessary to review the whole history of the controversy. Your attention is invited to a point in it, when a renewed attempt at amicable adjustment between the parties, after repeated failures, was agreed upon, and to what ensued. You are aware, that, having been unable to agree, yet unwilling to protract the

controversy, the parties resorted to a suit in the Supreme Court of the United States, in the progress of which that government was made a party.

At this stage of the case, the Governor of Florida proposed that the terminal points of the then existing line be agreed upon ; that a line be run from one to the other by two Commissioners, one to be appointed by each State, and that the line so run be established as the boundary. By resolution of the 27th December, 1857, the General Assembly accepted the proposition in regard to the terminal points, and in a commendable spirit declared that Georgia would adopt either the then existing line between those points, or any other that might be surveyed and marked, by virtue of law and the joint action of the two States. Authority was given by the same act, to the Governor, to appoint a competent surveyor to run out and mark distinctly such a line between the designated points, in conjunction with a surveyor to be appointed by the State of Florida.

In pursuance of this agreement, Gustavus J. Orr was appointed by the Governor of Georgia, and W. Whitner, by the Governor of Florida, to run and mark said line. Whilst these surveyors were engaged in the work assigned them, the General Assembly of Georgia, by an act assented to 16th December, 1859, enacted, "that if the State of Florida shall duly recognize and by law declare the line now being run by the joint surveyors of Florida and Georgia, that is to say, the first line run by them from the western to the eastern designated terminus, as the permanent boundary line between the two States, that the said line is hereby recognized, adopted and declared on the part of Georgia as the true and permanent line of boundary ; provided nevertheless, on the eastern terminus, it does not depart exceeding one-fourth of a mile from Ellicott's Mound."

The line was run out and marked, and its eastern terminus did not "depart one-fourth of a mile from Ellicott's Mound." Indeed, the variance being reported as only twenty-four feet, is inappreciable, and for all practical purposes the line may be taken to have terminated *at* that mound.

It would seem, then, that nothing more was wanting to bind Georgia to this line than Florida's recognition of it by legislative enactment. Whilst the survey was in progress, the Legislature of Florida enacted a law, approved 22d December, 1859, of the same tenor and effect with the above recited act of the State of Georgia.

After the completion of the line, the Legislature of Florida passed resolutions, approved February 8th, 1861, referring to the above act, declaring the line run by surveyors Orr and Whitner as the permanent boundary between the States, and authorizing the Governor of that State to issue a procla-

mation to that effect, provided, that, by authority of the Legislature of Georgia, the same thing be done by the Governor here. I transmit herewith a copy of those resolutions, now of file in this Department, authenticated by the great seal of the State. By the 17th and 21st sections of the Code, which was made the law of Georgia first by an adopting act, approved December 19th, 1860, and secondly by the 5th clause, 1st section, 5th article of the Constitution, ordained and established by the Convention of 1865, this identical line is declared to be the boundary between Florida and Georgia. Surely, this should have ended the controversy. The State of Florida so holds. I respectfully submit that so the State of Georgia must hold, unless she determine to ignore law enacted by her Legislature, and solemnly recognized as law by her people in Convention nearly five years after. I regret to add, however, that the General Assembly, by resolutions assented to December 11th, 1861, re-opened the controversy, by providing for the appointment of commissioners on the part of Georgia, and requesting the appointment of commissioners on the part of Florida to hold further conference on this vexed question. The Legislature of Florida, with commendable patience and friendly consideration, acceded to the request. Commissioners were appointed on both sides, and entered into conference in the month of December, 1862. Messrs. Wright and Erskine, on the part of Georgia, proposed that a line known as the Watson Line be adopted as the boundary. Messrs. Banks and Papz, on the part of Florida, declined the proposition, and insisted that the previous action of the Legislatures of the two States had established the Orr and Whitner Line; and so this effort ended, without changing the status of the question.

I have already adverted to the difficulty which occurred in regard to tax returns. Accompanying this communication will be found a copy of a letter from the Tax Collector of one of our border counties, to the Comptroller General, stating his embarrassments, and asking instructions; also, a copy of a letter from a citizen of Georgia to myself, stating that the duty of administering an estate lying in the disputed belt has devolved upon him, and asking directions in which State he shall seek the necessary authority for so doing. These appeals present in strong light the evil of keeping the question open. Other and perhaps more serious difficulties will occur in the progress of time, if a finality be not given to it.

Questions of jurisdiction, civil and criminal, will arise between the Courts of the border counties of both States. The rights of property, the privileges, duties and liabilities of citizenship, the punishment of crime, and the peace of the border counties are all involved. To me it seems that these

considerations far outweigh in importance the right of eminent domain over this narrow strip of land, and even the relation of citizenship between the State of Georgia and the inhabitants of that belt. Doubtless, there dwell upon it good and true men, whom we should all grieve to lose, but of all men in the State, they are most interested in the settlement of the controversy. But whatever interests or ties are involved in it, I respectfully insist, that by the action of the two States, Georgia is committed to the Orr and Whitner line, and good faith requires that she make full and final acknowledgment of it. I recommend that the General Assembly authorize the Executive to issue a proclamation declaring that line the boundary, and requiring her citizens and officers to govern themselves accordingly.

CHARLES J. JENKINS.

On motion, the message with the accompanying documents, was referred to the Committee on the State of the Republic.

Mr. O. L. SMITH, from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President of the Senate and the Speaker of the House of Representatives, the following resolution, to-wit :

A resolution requesting a mail route to be established from Reidsville to Johnson Station, on the Albany & Gulf Railroad.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bill, to-wit :

A bill to be entitled an act to provide a College for the benefit of agriculture and the mechanic arts in the State of Georgia, under acts of Congress, approved respectively 2d July, 1862, and 14th April, 1864, which I have been instructed to transmit forthwith to the Senate.

The Senate took up the report of the Committee of the Whole on the bill to repeal section 1439 of the Code.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was disagreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend section 1574 of the Code.

The Committee on the Judiciary, to whom this bill was referred, propose to strike out the words "five hundred" and insert the words "two hundred," and with this amendment they recommend its passage.

On motion, the amendment was agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to alter and amend the first section of an act passed over the veto of his Excellency, the Governor, by a vote of two-thirds, March 6th, 1866, entitled an act for the relief of the people of Georgia, and to prevent the levy and sale of property under certain circumstances and within a limited period.

On motion, the same was referred to the Committee on the Judiciary.

The Senate took up the report of the Committee of the Whole on the bill to repeal the tax assessed on cotton as merchandise.

The Committee on Finance, to whom this bill was referred, reported in favor of its passage.

The report of the committee, was agreed to, the bill was read the third time, and passed.

The Senate took up the report of the Committee of the Whole on the bill to require executors and administrators to advertize the terms of their sales.

The Judiciary Committee, to whom this bill had been referred, reported in favor of its passage.

The report was agreed to, the bill was read the time and passed.

The Senate took up the report of the Committee of the Whole on the bill to authorize and require the Judge of the Superior Court of Whitfield county to enter a certain case therein named settled, upon certain conditions.

The Judiciary Committee, to whom this bill was referred, reported in favor of the passage of the bill.

The report was agreed to, the bill was read the third time and passed.

The Senate took up the report of the committee on the bill to repeal an act, entitled an act to alter and amend sections 4596 and 4597 of the Code of Georgia, approved on the 15th day of February, 1866.

The Committee on the Judiciary, to whom this bill had been referred, reported adversely to the passage of the same.

The report of the committee was agreed to, and the bill was lost.

Mr. BLOUNT reported the following resolution :

Resolved, That a seat on the floor of the Senate be tendered to ex-Governor Brown during his stay in the capital.

On motion, the rules were suspended, and the resolution was taken up, read and agreed to.

On motion of Mr. BUTLER the rules were suspended, and the following bill of the House of Representatives was read the first time, to-wit :

A bill to repeal the 29th section of an act to incorporate the Columbia & Augusta Railroad Company.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to reduce the tax and define the powers of the Town Council of Cartersville, in Bartow county.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to extend the time within which tax collectors in this State shall be required to make their final returns to the Comptroller General for the present year.

Mr. BLOUNT moved to amend by striking out the words "first day of March," and insert the words "first day of February," which motion was lost.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to change the time of holding the Superior Court of Clay county.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to amend an act entitled an act to amend the charter of the Georgia Western Railroad, passed December 20th, 1860.

On motion, the bill was referred to the Committee on the Judiciary.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to make the Justices of the Peace in Marion county *ex officio* road commissioners for their respective districts in said county.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to amend an act entitled an act to incorporate the Water Lot Company, of the city of Columbus.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to amend an act entitled an act to legalize and make valid certain acts of Notaries Public in this State, and for other purposes, approved 17th March, 1866.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the resolution of the House of Representatives, in reference to I. W. Avery to lay before a committee a digest of the Supreme Court.

The Judiciary Committee, to whom the resolution was referred, reported the following as a substitute, to-wit:

WHEREAS, I. W. Avery, Esq., has prepared a digest of the decisions of the Supreme Court, which he claims present important improvements upon digests heretofore prepared; therefore,

Resolved by the General Assembly, That said I. W. Avery, Esq., is hereby authorized to lay said digest before a committee of five, to be appointed by the Speaker of the House of Representatives and President of the Senate, say three by the Speaker and two by the President, and that said committee report to the present General Assembly, if practicable.

On motion, the substitute was adopted in lieu of the original, and the resolution, as amended, was concurred in.

The following bills of the House of Representatives were read the first time, to-wit:

A bill to provide a college for the benefit of agriculture and the mechanic arts in the State of Georgia, under acts of Congress, approved respectively 2d July, 1862, and 14th April, 1864.

A bill to consolidate the offices of the Clerk of the Superior and Inferior Courts for the county of Henry.

A bill to amend the 16th section of the act incorporating the town of Adairsville, in Bartow county, Georgia.

A bill to authorize guardians and others to compromise claims, under certain circumstances.

A bill to amend the road laws of this State.

A bill to prevent the obstruction of Spring creek, so far as relates to the counties of Miller, Decatur and Early.

The following bills of the House of Representatives were read the second time, and referred to the Judiciary Committee, to-wit:

A bill to alter and amend section 4283 of the Code of Georgia.

A bill to alter and amend section 3807 of the Code of Georgia.

A bill to alter and amend section 4641 of the Code of Georgia.

A bill to repeal the 1391st section of the Code of Georgia, and to provide compensation for taking up estrays.

A bill to appoint a day for the holding of elections by the General Assembly.

A bill to alter and amend the 638th section of the Code of Georgia.

A bill to amend section 4451st section of the Code of Georgia.

A bill to alter and amend the 324th section of the revised Code of Georgia.

The following bills of the House of Representatives were read the second time, and referred to the Committee on Internal Improvements, to-wit:

A bill to alter and amend an act entitled an act to incorporate the town of Hawkinsville, in the county of Pulaski, to appoint commissioners for the same, and to confer certain privileges upon said commissioners.

Also, to incorporate the town of Groovesville, in Brooks county, and for other purposes, approved December 8th, 1859.

A bill to incorporate the Moss-gill Manufacturing Company.

The following bill of the House of Representatives was read the second time, and referred to the Committee on Banks, to-wit:

A bill to amend the second section of an act to incorporate the Georgia Home Insurance Company, of the city of Columbus, assented to December 12th, 1859.

The following bills of the House of Representatives were severally read the second time, to-wit:

A bill for the relief of Benjamin L. Cook, of Quitman county, and to save him from the pains and penalties of bigamy.

A bill to amend an act entitled an act for the relief of maimed indigent soldiers and officers, citizens of this State, who belonged to military organizations of this State, in the State or Confederate armies, by striking out the word "indigent" wherever occurring in said act.

A bill to incorporate the town of Marshallville, in the county of Macon.

A bill to amend an act to incorporate the Southern Mutual Insurance Company, approved December 29, 1847.

The following bill was read the second time, to-wit:

A bill to consolidate the offices of the Superior and of the Inferior Courts of Elbert county.

The following bill was read the second time, and referred to the Committee on the Judiciary, to-wit:

A bill in reference to Confederate contracts.

A bill to authorize merchants and shop-keepers to vend drugs and medicines, and for other purposes.

The following bill was read the second time, and referred to the Committee on Finance, to-wit:

A bill to relieve certain counties in this State from the payment of State taxes for the years 1867 and 1868, to enable them to rebuild court houses and jails.

On motion, the rules were suspended, and Mr. BUTLER reported the following resolution:

Resolved, That one hundred copies of the Labor Question of the South, by Frank Schaller, Esq., of Athens, Georgia, be printed for the use of the Senate.

On motion, the rules were suspended, and the resolution was taken up and agreed to.

The rules being farther suspended, the following bills were introduced and severally read the first time, to-wit:

By Mr. KENAN—

A bill to increase the fees of the jailor of Baldwin county.

By Mr. WILCOX—

A bill to extend the provisions of an act approved March 4th, 1856, entitled an act to protect the citizens of the counties of Worth, Richmond and Clinch, Berrien and Bryan, from the injurious consequences of camp-hunting by non-residents, to the county of Irwin.

On motion, the Senate adjourned until to-morrow morning at ten o'clock.

WEDNESDAY, November 14th, 1866.

THE SENATE met pursuant to adjournment, and was opened by prayer from the Rev. Mr. BROOKS.

Leave of absence was granted to the Senator from the 11th District for a few days.

Mr. OWENS, from the Committee on Internal Improvements, made the following report:

Mr. President: The Committee on Internal Improvements have considered several bills submitted to them, and direct me to report as follows:

A bill to incorporate the Lumpkin Manufacturing Company, which they propose to amend as follows: By striking out the word "fifty" in the last line of the first section, and inserting "thirty"; also, by inserting after the word "afore-said" in the fourteenth line of second section the following words: "provided, the same be not a stream capable of navigation, and that no lock or dam shall be constructed which shall in any way interfere with or injure the drainage

of any lands adjacent to or lying on said stream: and provided further, that no canal shall be cut through the land of any other person, without the consent of such person being first obtained," and with these amendments they recommend its passage.

Also, "An Act to amend the charter of the Kenesaw Mining Company of Georgia, and to change the name to that of "The Kennesaw Mining and Manufacturing Company of Georgia," which they propose to amend by striking out all except the first section thereof, and with this amendment they recommend its passage.

Respectfully submitted,
GEO. S. OWENS, *Chairman*.

Mr. BROWN, Chairman of the Committee on New Counties and County Lines, made the following report:

Mr. President: The Committee on New Counties and County Lines, to whom were referred a bill to add lot of land No. 231, in the fourth district, second section of Cherokee county, to the county of Pickens, have had the same under consideration, and recommend that the same be passed.

CHAIRMAN.

The following message was received from his Excellency, the Governor, by Mr. Hunter, his Secretary, to-wit:

Mr. President: I am directed by the Governor to deliver to the Senate a communication in writing, with an accompanying documents.

On motion, the message was taken up and read, as follows:

EXECUTIVE DEPARTMENT, }
MILLEDGEVILLE, Nov. 14, 1866. }

To the General Assembly:

I transmit herewith a communication from the Merchants' and Mechanics' Fire Company, of Milledgeville. It will be seen that this company is fully organized, and possessed of hooks and ladders to be used in case of fire, but are without an engine. They represent that the City Council of Milledgeville, by reason of their heavy indebtedness, and the necessity of laying taxes for indispensable public uses, as onerous as the citizens can well bear, are unable to furnish them with one. The State has in the city much valuable real estate and still more valuable records, which are every hour exposed to peril from fire. One of these engines well manned and skilfully operated, would be capable in many cases of arresting a fire, which, without such an apparatus, would reduce the entire building and much of its contents to ashes. I know of no better investment, of the same amount, that the State could make, than the one proposed. It is

certainly wise economy to provide all possible safeguards against fire to valuable property.

It must also be regarded as a strong additional inducement that it would give greater security to the property of the citizens of Milledgeville, since they have organized an efficient company, and are more than willing to render their services to the State, in case of necessity, without personal compensation, it is reasonable that the State should furnish an engine. Their services in time of fire are always arduous, and at times perilous.

It is proposed that the engine remain the property of the State, and the use and keeping of it always subject to Executive control. Any conditions that the General Assembly may think proper, with reference to the public interest, might be imposed. I respectfully recommend that a sum of not to exceed sixteen hundred dollars (that being the estimated cost of the engine and hose), be appropriated for this purpose, to be expended in such way as the General Assembly may direct.

(Signed)

CHARLES J. JENKINS.

On motion, the message from his Excellency, the Governor, just read, was referred to the Committee on Finance.

The following message was received from the House of Representatives, through Mr. WADDELL, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bill:

A bill to amend an act entitled an act to incorporate the town of Ellaville, in Schley county, approved November 23d, 1859.

They have also concurred in the amendment of the Senate to the resolution in relation to furnishing the committee rooms in the State House.

On motion, the rules were suspended, and Mr. GRESHAM introduced—

A bill for the relief of Benson Roberts, administrator of John W. Mangham, late of the county of Pike, deceased, and to authorize a settlement of said estate, which was read the first time.

The Senate took up the report of the Committee of the Whole on the bill to add lot of land No. 231, in the fourth district, second section of Cherokee county, to the county of Pickens.

The Committee on New Counties and County Lines, to whom this bill was referred, reported the same back to the Senate, with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to consolidate the offices of Clerk of the Superior and of the Inferior Courts of Elbert county.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend the charter of the Kenesaw Mining Company of Georgia, and to change the name to that of the Kenesaw Mining and Manufacturing Company of Georgia.

The Committee on Internal Improvements, to whom this bill was referred, propose to amend by striking out all except the first section thereof, and with this amendment they recommend its passage.

On motion, the amendment was agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Lumpkin Manufacturing Company.

The Committee on Internal Improvements, to whom this bill was referred, propose to amend the first section by striking out the words "fifty" in the last line, and insert the word "thirty"; also, to amend the second section, by inserting after the word "aforesaid" in the fourteenth line the following proviso: "Provided, the same be not a stream capable of navigation, and that no lock or dam shall be constructed which shall in any way interfere with or injure the drainage of any lands adjacent to or lying on said stream: and provided further, that no canal shall be cut through the land of any other person, without the consent of such person being first obtained.

On motion, the amendments were agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time, and passed.

The Senate took up the report of the Committee of the Whole on the following bills, which had been referred to the Joint Special Committee on County Courts, to-wit:

A bill to repeal the act approved on the 17th day of March, 1866, to organize a County Court, define its jurisdiction, and for other purposes.

Also, a bill to alter and amend an act to organize a County Court, approved March 12th, 1866.

Also, a bill to alter and amend an act entitled an act to

organize a County Court in each county in this State, approved March 17th, 1866.

On motion, the foregoing bills were made the special order of the day for Thursday next.

Mr. SMITH, chairman of the Committee on Enrollment, reported as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following acts, to-wit:

An Act to change the time of holding the Superior Court of the county of McIntosh, and to legalize the proceedings of said Court.

Also, An Act to incorporate the Coweta Falls Manufacturing Company of Columbus, Georgia.

Also, a resolution to furnish committee rooms, etc.

The following message was received from his Excellency, the Governor, by Mr. Hunter, his Secretary, to-wit:

Mr. President: The Governor has approved and signed the following resolutions, to-wit:

A resolution in reference to the proposed amendment to the Constitution of the United States.

A resolution requesting the Governor to furnish certain information to the General Assembly in reference to the Penitentiary.

A resolution requesting a mail route to be established from Reidsville to Johnson Station, on the Albany & Gulf Railroad.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have agreed to a resolution for the appointment of a joint committee to make arrangements for religious services in the Hall of Representatives on the 22d instant, in which they invite the concurrence of the Senate; and I am instructed to transmit the same forthwith to this branch of the General Assembly. The committee on the part of the House are Messrs. Hill, Baker and Mallard.

On motion of Mr. O. P. BEALL, the rules were suspended, and the following bills were severally taken up and made the special order for Monday, the 19th instant, to-wit:

A bill to exempt from levy and sale certain property of every debtor in this State, and for other purposes.

Also, a bill to alter and amend an act for the relief of the people of Georgia, and prevent the levy and sale of property within a limited period, passed March 8th, 1866.

Also, a bill to amend the law in regard to property exempt from levy and sale.

The rules being further suspended, on motion, the Senate took up the resolution of the House of Representatives relative to the appointment of a joint committee to make arrangements for religious services in the hall of the House of Representatives, on the 22d instant.

On motion, the resolution was concurred in, and the Secretary was directed to transmit the same forthwith to the House of Representatives.

The committee appointed under the above on the part of the Senate, consists of Messrs. J. A. W. Johnson and Butler.

The following bills were severally read the second time, to-wit:

A bill to incorporate the Memorial Association of Resaca, and confirm the titles to land.

A bill to extend the provisions of an act, approved March 4th, 1856, entitled an act to protect the citizens of the counties of Worth, Richmond, Clinch, Berrien and Bryan from the injurious consequences of camp hunting by non-residents, to the county of Irwin.

A bill to increase the fees of the jailor of Baldwin county.

The following bill was read the second time and ordered to be engrossed, to-wit:

A bill to explain section 2d of an act, passed in 1866, approved 17th March, 1866, entitled an act to define the term, persons of color, and declare the rights of such persons.

The following bill was read the second time and referred to the Committee on the State of the Republic, to-wit:

A bill to authorize and require the Governor of the State of Georgia to call a convention of the people of this State, and for other purposes.

The following bill was read the second time and referred to the Committee on Internal Improvements, to-wit:

A bill to incorporate the Etowah Canal and Water Works Company.

The following bills were severally read the second time and referred to the Committee on New Counties and County Lines, to-wit:

A bill to change the line between the counties of Twiggs and Wilkinson, and for other purposes.

A bill to change the lines between the counties of Cherokee and Milton so as to include the residence and farms of Mathias Bates, Lewis M. Hook, Charles Nix and R. J. Bates, of the county of Cherokee, within the county of Milton.

The following bills were severally read the second time and referred to the Committee on the Judiciary, to-wit:

A bill to repeal the second section of an act, approved 17th March, 1866, entitled an act to authorize any sheriff, consta-

ble, and other arresting officers of any county in this State, to arrest in any county, wherever found, any person charged with a crime under a warrant issued by any judicial officer.

A bill to amend an act, entitled an act to incorporate in the State of Georgia an insurance company, to be called the Great Southern Insurance Company.

The following bills of the House of Representatives were severally read the second time, to-wit:

A bill to authorize guardians and others to compromise claims under certain circumstances.

A bill to amend the 16th section of the act incorporating the town of Adairsville, in Bartow county, Georgia.

A bill to amend the road laws of the State.

A bill to repeal the 29th section of an act to incorporate the Columbia & Augusta Railroad Company.

The following bills of the House of Representatives were read the second time and referred to the Committee on the Judiciary, to-wit:

A bill to provide a college for the benefit of agriculture and the mechanic arts in the State of Georgia, under acts of Congress approved respectively 2d July, 1862, and 14th April, 1864.

A bill to consolidate the offices of the Clerk of the Superior and Inferior Courts for the county of Henry.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives for the relief of Benjamin L. Cook, of the county of Quitman, and to save him from the pains and penalties of bigamy.

On motion, the same was referred to the Committee on the Judiciary.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the town of Marshallville, in the county of Macon.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend an act, entitled an act to incorporate the Southern Mutual Insurance Company, as approved December 29th, 1847.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to prevent the obstruction of Spring Creek, so far as relates to the counties of Miller, Decatur and Early.

The report of the Committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the

Whole on the bill of the House of Representatives to amend an act, entitled an act for the relief of maimed and indigent soldiers and officers, citizens of this State, who belonged to military organizations of this State, in the State or Confederate armies, by striking out the word "indigent" wherever occurring in said act, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended for the introduction of new matter, and the following bills were introduced and severally read the first time, to-wit:

By Mr. BUTLER—

A bill to repeal section 4413 of the Code of Georgia in reference to carrying deadly weapons.

By Mr. EZZARD—

A bill to make valid certain judgments rendered by the Inferior Courts of this State.

The Senate took up the resolution in reference to authorizing his Excellency, the Governor, to furnish certain counties with the decisions of the Supreme Court and other books.

Mr. STROZIER moved to strike out the words "decisions of the Supreme Court."

On motion, the same was agreed to, and the resolution was lost.

On motion, the Senate adjourned until to-morrow morning, at 10 o'clock.

THURSDAY, November 15th, 1866.

The SENATE met pursuant to adjournment, and was opened by prayer from the Rev. Mr. Brooks.

Mr. DICKEY, Chairman *pro tem.*, from the Committee on Finance, submitted the following report:

Mr. President: The Committee on Finance have had under consideration the following bill, to-wit:

A bill to be entitled an act to relieve certain counties in this State from the payment of State taxes for the years 1867 and 1868, to enable them to rebuild court-houses and jails: which they recommend do not pass.

JAMES DICKEY,

Chairman Finance Committee, pro tem.

Mr. MOORE, Chairman of the Committee on the Judiciary, made the following report:

Mr. President: The Judiciary Committee, to whom were referred certain bills, have had them under consideration, and direct me to report thereon as follows:

A bill to detach the county of Lowndes from the Southern Judicial Circuit, and add the same to the Brunswick Judicial Circuit: which they recommend do pass.

Also, a bill for the discharge of insolvent debtors, and to dispose of said insolvents property: which they recommend do pass.

Also, a bill to repeal the second section of an act, approved March 17th, 1866, entitled an act to authorize any sheriff, constable or other arresting officer of any county in this State, to arrest in any county, wherever found, any person charged with a crime, under a warrant issued by any judicial officer: which they recommend do not pass.

Also, a bill in reference to Confederate contracts: which they recommend do not pass.

Also, a bill to amend an act entitled an act to incorporate in the State of Georgia an insurance company, to be called "The Great Southern Insurance Company," for which the committee propose a substitute, with the same title, which they recommend be passed in lieu of the original bill, and which is as follows:

SECTION 1. *The General Assembly of the State of Georgia do enact,* That sections ten and eleven of the above recited act be and the same are hereby repealed, and in lieu thereof the following shall be inserted: "The stockholders in said company shall be individually liable to the creditors of the company for the amount of their stock unpaid: *Provided,* That nothing in this act shall be so construed as to impair the liability of the stockholders for any debts or obligations incurred prior to the passage of this act, if any such there should be."

Also, the following bills from the House of Representatives, to-wit:

A bill to alter and amend the 638th section of the Code of Georgia: which they recommend do not pass.

Also, a bill to amend section 4451 of the Code of Georgia: which they recommend do not pass.

Also, a bill to repeal the 1391st section of the Code of Georgia, and to provide compensation for taking up estrays: which they recommend do pass.

Also, a bill to consolidate the offices of the Clerk of the Superior and Inferior Courts for the county of Henry, which the committee propose to amend, in the title and body of the

bill, by adding the county of Dougherty thereto: and with this amendment, they recommend the passage of the bill.

Also, a bill to amend section 4283 of the Code of Georgia: which they recommend do pass.

Also, a bill to appoint a day for the holding of elections by the General Assembly: which they recommend do not pass.

Also, a bill to alter and amend section 3807 of the Code of Georgia: which they recommend do pass.

Also, a bill to alter and amend section 324 of the Code of Georgia: which they recommend do pass.

Mr. QUILLIAN, from the committee appointed under resolution adopted at the last session of the General Assembly, to report upon the condition of the Academy for the Deaf and Dumb, made the following report, to-wit:

The undersigned, from the committee appointed by the last General Assembly to examine into and report on the condition of the Academy for the Deaf and Dumb, begs leave to submit the following report:

In conformity with the instructions of the General Assembly, I visited the Academy for the Deaf and Dumb about the last of September.

This institution, as the General Assembly has been informed by his Excellency, the Governor, in his annual message, has not yet resumed its exercises. While this is to be regretted by every philanthropist and lover of humanity, it is but due to the able and efficient board of trustees who control this institution, founded for the benefit of the unfortunate class of our citizens, to say that they have displayed great energy in their efforts to re-establish and reopen the school.

This, as almost all other similar institutions, suffered much by the ravages of the late devastating war; but, by the indefatigable energy and zeal of the board of trustees, most of the bedding and other furniture of the school was saved, and it was through their exertions and care that the building was saved from further injury. The people of Georgia, and the friends of humanity everywhere, owe a debt of gratitude not easily paid, to the board, through whose efforts this institution was spared as a monument to the virtue, wisdom and philanthropy of the Legislature of Georgia.

The building is large and commodious, admirably suited for the purposes for which it was intended, in size, arrangement and locality. Located in the beautiful village of Cave Spring, a village containing some eight hundred or one thousand inhabitants, with three churches, located sixteen miles from the city of Rome, in Vans Valley, on the new railroad leading from Jacksonville, Alabama, by way of

Rome to Dalton, in a section of country unsurpassed for beauty of scenery, fertility of soil, salubrity of atmosphere, purity of water, and morality and intelligence of its citizens.

This institution combines more advantages, perhaps, than any other similar school in the South. When the railroad running through the town is completed, which will be done in less than two years, the only plausible objection to this locality will be removed.

Through the efforts of the board of trustees, much has already been done to repair the damages sustained by the building and furniture during the occupation by two hostile armies. The walls, which were defaced and mutilated by the soldiers, have been repaired, and every effort is being made to re-open the school at an early day.

A small amount is still necessary to complete the repairs of the building and to furnish it more comfortably. A few beds and bedsteads and bed furniture must be had for the complete fitting up of the institution. The amount required is small, and should be granted at once.

While Georgia has exercised a princely liberality towards her asylums for the blind and the insane, she has always meted out her bounties with a sparing hand to this institution, founded for the benefit of a class of her citizens no less unfortunate and no less numerous. This should be the case no longer. The Legislature should sustain this child of the State no less bountifully than she does her other benevolent institutions. No class of our citizens appeal more loudly to our generosity and philanthropy than those who have never heard the fond caresses of a mother's lips, and whose tongues have never been loosed to praise the name of Him who gave them being. Cold and cheerless indeed must be their lives, cut off from all the ordinary means of communicating their thoughts, and even their desires, to their nearest relatives.

If it be the duty of the philanthropist to do all in his power to alleviate the suffering of the unfortunate, it is no less the duty of the State; and we should make such appropriations as the State can pay without burthening its citizens with onerous taxation. This can be done, and meet all the reasonable demands of our benevolent institutions.

In my judgment, therefore, this Legislature should extend to the deaf and dumb citizens of Georgia the same aid so lavishly and so philanthropically bestowed upon the insane, the blind, and those maimed in battle.

All of which is respectfully submitted.

B. B. QUILLIAN.

On motion, the foregoing report was referred to the Committee on the Deaf and Dumb Asylum, and fifty copies of the same were ordered to be printed for the use of the Senate.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills:

A bill to prevent persons from interfering, so as to induce laborers or servants to abandon their contracts, or to employ such, without the consent of their original employer, before the expiration of their contract, etc.

A bill to authorize and require the treasurer of this State to make certain advances, and for other purposes.

A bill for the relief of Robert T. Bridges, John Sansom and Joseph Glenn, of the county of Whitfield.

A bill to incorporate the Raecoon Coal Mining Company, and to extend the provisions of an act to incorporate the Wahatchee Mining Company, approved March 6th, 1866, to the same.

A bill to authorize and require the Justices of the Inferior Court of Decatur county to order the payment of the superintendents, clerks, and those who consolidate the returns of elections of said county, for their services.

A bill to alter and amend an act to alter and amend the Penal Code of Georgia.

A bill to authorize the Justices of the Inferior Court of Camden county to levy a special tax for county purposes, and to regulate the same.

A bill to amend the charter of the Mount Vernon Institute, in Washington county.

A bill to authorize an advance payment to be made to the Public Printer of the present session of the Legislature.

A bill to amend the *certiorari* laws of this State.

A bill to incorporate the Hawkinsville Manufacturing Company, of Pulaski county, Georgia.

A bill to encourage sheep raising in this State.

A bill to amend the 3252d section of the Code of Georgia.

A bill to approve the consolidation of the Dalton & Jacksonville Railroad Company, the Georgia & Alabama Railroad Company of the State of Georgia, and the Alabama & Tennessee River Railroad Company of the State of Alabama, and to authorize said companies consolidated to adopt a corporate name.

A bill to repeal an act assented to December 11th, 1858, to change the lines between the counties of Dougherty and Worth, and thereby re-establish the original line.

They have also agreed to a resolution requesting the Governor to subscribe for two hundred and fifty copies of the Digest of the Decisions of the Supreme Court of Georgia, prepared by A. O. Bacon, Esq., in which they invite the concurrence of this branch of the General Assembly.

The following bills were introduced and severally read the first time, to-wit:

By Mr. CASEY—

A bill to abolish imprisonment for debt in this State.

Also, a bill to define and prescribe the liability of the stockholders of banks in this State, and for other purposes.

By Mr. DALEY—

A bill to add an additional section to division 4th, part 4th, title 1st, of the Penal Code.

Also, a bill to allow the jailor of Tattnall county to charge fifty per cent. on the jail fees now allowed by law.

By Mr. DICKEY—

A bill to prevent bathing in streams or ponds of water on the Sabbath day, on roads leading to or from houses of religious worship.

By Mr. GRESHAM—

A bill to repeal an act entitled an act to amend the 3984th and 3985th sections of the Code of Georgia, and for other purposes.

By Mr. J. A. W. JOHNSON—

A bill to authorize suits to be brought against any Railroad or Express Company in this State, and against the Superintendent of the Western & Atlantic Railroad, in any county in which such road or Express Company may have a place of business and an officer or agent.

Also, a bill to amend the 3753d section of the Code.

Also, a bill to donate the Okefenokee Swamp lands belonging to the State of Georgia, as a permanent endowment to the Georgia Orphan Home.

By Mr. MOORE—

A bill to amend the charter of the Planters' Convention of the State of Georgia, so far as to change the name thereof.

By Mr. C. H. SMITH—

A bill to extend to orphan children the benefit of dower, or commutation of dower, in the same manner and to the same extent as their mother would be, if living.

By Mr. STRICKLAND—

A bill to require costs to be paid in advance and to prescribe the amounts, etc.

Mr. KENAN reported the following resolution, to-wit:

Resolved, That seats upon the floor of the Senate be tendered to Generals Gordon and Wayne, during their stay in the city.

On motion, the rules were suspended, the resolution was taken up, read and agreed to.

Mr. PARIS reported the following resolution, to-wit:

Be it resolved by the General Assembly, That his Excellency, the Governor, be required to lay before the next General Assembly the number of acres of land undisposed of contained in McIntosh Reserve; what amount reserved in the city of Atlanta, in the city of Columbus, in the city of Chattanooga, and lying in or near the city of Macon, with all the information that he can procure upon that subject; and also from such information, what it the probable value of the same, with a communication whether it would or would not be practicable or advisable to dispose of the same, with the best mode of disposing of the same.

On motion of Mr. GIBSON, the rules were suspended, and the Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the 29th section of an act to incorporate the Augusta & Columbia Railroad.

The report of the committee was agreed to, the bill was read the third time and passed; and the Secretary was directed to transmit the same forthwith to the House of Representatives.

The Senate took up the special order of the day, which was the report of the Committee of the Whole on the following bills, which had been referred to the joint Committee on County Courts, by whom a majority and minority report had been submitted, to-wit:

A bill to repeal the act, approved on the 17th day of March, 1866, to organize a County Court, define its jurisdiction, and for other purposes.

Also, a bill to redistrict the State, and to add six additional Judicial Circuits.

Also, a bill to alter and amend an act to organize a County Court, approved March 12th, 1866.

Mr. STROZIER moved that the minority report be adopted in lieu of the report submitted by the majority of the Committee, which motion was lost.

The question then recurred upon the adoption of the majority report, and, pending the consideration of the same, on motion of Mr. J. A. W. JOHNSON, the special order for the day was postponed until Saturday next.

Mr. BROWN, chairman of the Committee on New Counties and County Lines, made the following report:

Mr. President: The Committee on New Counties and County Lines have had under consideration certain bills, which were referred to them, and direct me to report on them as follows:

A bill to change the line between the counties of Cherokee

and Milton, so as to include the residence and farms of Matthias Bates, Lewis M. Hook, Charles Mix, and R. J. Bates, of the county of Cherokee, within the county of Milton: and recommend that the bill be passed.

A bill to be entitled an act to change the line between the counties of Twiggs and Wilkinson, and for other purposes: and recommend that the bill be passed.

Ms. O. L. SMITH, chairman of the special Committee on Common Schools, submitted the following report:

Mr. President: The committee appointed under resolution adopted at the last session of the General Assembly, to digest and report to the present session a common school system for the State, report the following bill, to-wit:

A BILL

To be entitled, "An Act to provide for Education, and to Establish a general system of Georgia Schools."

SECTION 1. *Be it enacted by the General Assembly of the State of Georgia,* That from and after the passage of this act, there shall be appointed, by the Governor, a Superintendent of Public Education and Georgia Schools, who shall have a salary of fifteen hundred dollars and his traveling, printing, and postage expenses paid, and hold his office for two years.

HIS DUTY.

SEC. 2. *Be it enacted, etc.,* That it shall be the duty of the Superintendent of Public Education and Georgia Schools to consolidate the returns of commissioners of the several counties or school districts, as hereinafter provided, and report the same to each regular session of the General Assembly. And also submit therewith the accounts of the expenditure of the school fund, and of the fund for education of teachers, and *estimates* for the two succeeding years, and plans for the management and improvement and better organization of the Georgia schools—and all such matters pertaining to his office, as he shall deem expedient, or such as shall be required by either branch of the General Assembly—which reports shall be filed in the Comptroller's office; that said Superintendent shall, from time to time, visit the several counties as far as possible, disseminate information generally as to the objects of this act and the importance of general education, and generally superintend the operations of this system of Georgia schools and see that the laws in relation thereto are enforced. He shall call on the County Commissioners, who fail to make returns to him according to the provisions of this act; shall see, as far as possible, that the moneys to be used for the purpose of Education are not misapplied, and that the proper actions provided by law are brought against all the officers and agents of

the system who are liable to the same ; and the Superintendent, at such places as he may deem proper, and as often as possible, shall deliver public lectures on the subject of Education and this system, and the school books, and endeavor to enlist the minds and hearts of our people in this cause. He shall annually issue to each Commissioner a circular letter of instruction and suggestions as to the qualifications of teachers, and, until a system or series of books are obtained, a recommendation of such as are proper to be used, and such printed forms with blanks, upon which the Commissioner and the Trustee shall make their returns.

WHO MAY BE THE SCHOLARS.

SEC. 3. *Be it enacted, etc.,* That any free white inhabitant, being a citizen of the United States and of this State, and residing within the limits of any county or school district, organized under this act, between the ages of six and twenty-one years, shall be entitled to the instruction in the Georgia School of said county or district, without charge for tuition or incidental expenses.

COUNTY COMMISSIONER.

SEC. 4. *Be it enacted, etc.,* That there shall be in each county of this State a Commissioner of Georgia Schools, appointed by the grand jury, at the first term after the passage of this act, who shall at once proceed to lay off such county into school districts containing each, as near as may be, twenty-five white inhabitants, between the ages of six and twenty-one years, and having due regard to the convenience of the citizens thereof. And it shall be lawful for said Commissioner to alter the boundary of the several school districts, from time to time, at request and to suit the convenience of the citizens, and to accommodate the school districts to the fluctuation of the population—due regard being always had to keeping in each district, as near as may be, twenty-five white inhabitants, between the ages of six and twenty-one years.

COMMISSIONER.

SEC. 5. *Be it enacted, etc.,* That when said districts are laid off the Commissioner shall give public notice of the same, with their several metes and bounds, at the Court House of the county, and at one or more of the most public places in the several school districts. That it shall be the duty of the Commissioner to cause elections to be held in each school district for three Trustees of the Georgia School, in that district, who shall hold their office until their successors are elected, and such election to be held at the most public place at or near the centre of the several districts. That the Commissioner shall give at least ten days' notice of said election at one or

more public places in the district; and the qualified voters for members of the General Assembly, residing within the district, shall be entitled to vote in said election.

SEC. 6. *Be it enacted, etc.*, That said election shall be held under the same regulations as are now provided by law for the election of members to the General Assembly; and the managers of said elections shall transmit a certified copy of the same to the Commissioner of Georgia Schools, who shall file it in his office.

SEC. 7. *Be it enacted, etc.*, That the Trustees of each district shall have power and authority to select the places where the Georgia School or Schools of said district shall be located, having due regard to its central position and the convenience of a majority of the inhabitants of the scholastic age. They shall have power and authority to employ and dismiss teachers, to expel pupils for immoral, disorderly conduct; to prescribe the course of study, and the books to be used, in the absence of instructions from the Superintendent of Public Education, and to visit the schools as often as they may deem necessary to observe its condition and progress.

SEC. 8. *Be it enacted, etc.*, That it shall be the duty of the said Trustees to make a semi-annual report shewing the name, age and sex of every pupil, for what length of time each has received instruction, and in what branch of learning, together with a detailed account, verified by the oath of one of them, of their receipts and expenditures to the Commissioner of Georgia Schools; who, thereupon, shall be authorized to draw his order upon the Treasurer in favor of said Trustees for their distribution share of the Georgia School Fund.

SEC. 9. *Be it enacted, etc.*, That in thinly settled school districts the Trustees shall have power and authority to cause the school to be kept alternately in two or more places in such districts, and for such a length of time as they may deem just and equitable to the citizens, and so as to extend the benefits of education to all the inhabitants of scholastic age.

SEC. 10. *Be it enacted, etc.*, That the said Trustees shall hold their offices until the first Monday in October of the year succeeding their election; at which time, and in each and every year thereafter, an election for three Trustees, to succeed them, shall be held at the district school house under the same rules and regulations as is established in the foregoing section.

SEC. 11. *Be it enacted, etc.*, That it shall be the duty of the Commissioner to consolidate the semi-annual returns of the Trustees and to transmit the same, together with a true account of the receipts and disbursements of the school fund, in his county, by the first day of October in every year, to the Superintendent of Public Education and Georgia Schools.

SEC. 12. *Be it enacted, etc.*, That the salary of the Commis-

sioner shall be one dollar per day, for every day of service actually performed, for which he shall draw an order on the Treasurer, and to which order he shall attach a verified account of the number of days' service; and when presented, the Treasurer shall pay, taking a receipt therefor; and before entering upon the duties of his office, the Commissioner shall take and subscribe an oath before the County Judge, or Ordinary, faithfully and without partiality to discharge the duties of his office; and said oath shall be filed in the office of the Clerk of the Superior Court.

SEC. 13. *Be it enacted, etc.*, That the Trustees shall contract with a suitable teacher for their district, for such time as the funds of the district will allow; and at the end of the term of his or her employment, he or she shall render to the Trustees the number and names of the children who have gone to his or her school, specifying the number of days each went, and the studies taught; and on his rendering such statement, the Trustees shall pay him or her by giving an order on the Treasurer; and no trustee shall be a teacher.

SEC. 14. *Be it enacted, etc.*, That the Treasurer shall in no case pay any draft in favor of any teacher, unless it be accompanied with a report of the Trustees, stating the name of the teacher in the district, the length of time for which the school may have been kept during the current year, and the several branches taught; nor shall he pay then, unless the teacher exhibit a regular certificate of mental and moral qualifications from the committee of examination, dated within one year of that time.

SEC. 15. *Be it enacted, etc.*, That said Trustees shall, in thirty days after their term of office commences, report in writing to the Commissioner of their county, the number and names of the white children in their district, of six and under twenty-one years of age; and on failure so to do, without good cause shown to the Commissioner, they shall forfeit, each, the sum of five dollars, to be recovered by warrant before any Justice of the Peace, in the name of said Commissioner, to be appropriated to the use of the school district in which such failure shall occur.

SEC. 16. *Be it enacted, etc.*, That the three Trustees in each school district shall be, and they are hereby declared to be a body corporate, under the name of Georgia School Trustees, of District, in the county of _____, and in that name shall be capable of purchasing and holding real and personal estate, and of selling and transferring the same for school purposes, and prosecuting and defending all suits for and against the corporation.

SEC. 17. *Be it enacted, etc.*, That the said Trustees shall designate and purchase, or lease, or receive by donation, a suitable site for a school house, as near the central part of the

district as may be convenient ; shall hire, purchase, build, or receive by donation, a school house, of such form and dimensions as they may deem suitable ; and when there shall be any dispute arising under this section, it shall speedily be settled by arbitration, under the laws of this State.

SEC. 18. *Be it enacted, etc.*, That the Trustees shall receive into their hands none of the funds set apart for Georgia Schools. When they incur any expense in the purchase of land, for the erection of a school house, or other necessary purpose, they shall state an account of the expense, and draw on the Treasurer for the same, which account shall accompany the draft, and shall be paid by the Treasurer: provided that school district shall have in his hands a sum sufficient to pay the same.

SEC. 19. *Be it enacted, etc.*, That the Commissioner and Trustees, together or separately, shall visit the schools from time to time, and generally perform all such duties as they may deem necessary to the successful operation of the schools ; and they may unite with individuals, or the Trustees of other districts, for the purpose of raising a sum sufficient to carry on their schools for the longest time.

SEC. 20. *Be it enacted, etc.*, That the County Commissioner, with the Trustees of any district in his county, may make such other regulations relating to their schools, not inconsistent with this act and the laws of the land, as they may deem necessary to their usefulness.

SEC. 21. *Be it enacted, etc.*, That the County Treasurer of the Georgia school fund shall keep a just and true account of all moneys received and expended by him during the term of his service, showing when and of whom received, and for what, and to whom paid, and the balance remaining on hand ; and shall lay the same before the grand jury of his county once in each year, together with all his vouchers in support of the charges therein made, which account the grand jury shall carefully examine, and if found correct, the foreman shall so certify ; and he shall, annually, on or before the first Monday of October, report in writing to the Superintendent of Georgia Schools for the State of Georgia, a copy of the above account, together with the number of children in his county, the number who have been taught in the schools of his county the preceding year, for what time the schools have been kept up in the several districts, the names of the committee of examination, the number of certificates issued by the committee of examination during the year, designating, in separate columns, the number of female teachers and male teachers, and whether maimed soldiers, with such other facts as he may deem useful ; a copy of which he shall spread at large upon his book of records, and for all his services shall receive

\$100 ; and he shall not, while holding this office, be commissioner, trustee, or teacher.

SEC. 22. *Be it enacted, etc.*, That when the Treasurer shall make settlements of these accounts, any balances over shall again be carried to the credit of the district or fund to which they may belong ; and if any moneys in his hands, whether reported or not, be improperly detained or used, his successor, or the Trustees of the district, or representative of such balances, may, at any time and in any court having jurisdiction, recover the same, with twenty per cent. interest, in a summary manner, against the defaulter and his sureties, or any of them. in the same manner and with the same penalties as are prescribed in case of a rule against the sheriff ; and he shall give bond before entering on the duties of his office, with the like securities, and payable in the same manner as the County Treasurer, for the faithful performance of his duty, which bond shall be filed in the Clerk's office of the Superior Court.

SEC. 23. *Be it enacted, etc.*, That if any person, having accepted the appointment of Commissioner, Trustee, or Treasurer, shall refuse or neglect to perform the duties required of him by this act, he shall forfeit and pay the sum of fifty dollars, to be applied as other school monies ; and in the case of Commissioner, or Trustees, or Treasurer, the County Attorney shall prosecute suits for the recovery thereof.

SEC. 24. *Be it enacted, etc.*, That the Commissioner and Trustees of each district shall appoint, annually, a committee of examination, consisting of one, two, or three persons, and not more than three, who shall examine into the qualifications, both mental and moral, of all such as may apply for employment as teachers ; preference being given, when qualifications are equal, to our maimed soldiers, their wives, widows and daughters ; and said committee shall meet whenever required, upon five days' notice from the Trustees.

SEC. 25. *Be it enacted, etc.*, That no person shall be employed as a teacher, unless he or she obtain from a majority of said committee of examination of the district in which he seeks employment, a certificate of his or her good moral character, and of sufficient mental qualifications ; and no certificate shall be good for a longer term than one year from the date thereof.

VACANCY IN TRUSTEES, ETC.

SEC. 26. *Be it enacted, etc.*, That when a vacancy shall occur in the office of Superintendent, from any cause, the Governor shall appoint one, who shall hold the office until the next regular time for appointment, and no longer. When a vacancy shall, from any cause, occur in the office of Commissioner, it shall be the duty of the Inferior Court to appoint a successor, and notify him of his appointment, and the Clerk

of the Inferior Court shall notify the Superintendent of the State, and the State Treasurer thereof. That when a vacancy, from any cause, shall occur in the Board of Trustees, the remaining one or two Trustees, with the county commissioner, shall appoint from that District another, and they shall give notice thereof, posting the name of the appointee at one or more public places in the District.

SEC. 27. *Be it enacted, etc.*, The State Comptroller General shall, from the information contained in the annual report of the Superintendent, determine the amount due each county out of the funds in the Treasury, appropriated to the Georgia schools, and he shall notify the Commissioner in each county, and said commissioner shall thereupon draw his warrant on the State Treasurer, in favor of the County Treasurer. And when the State Treasurer shall pay such warrant, the receipt upon it of the County Treasurer, shall make it a sufficient voucher.

SEC. 28. *Be it enacted, etc.*, The County Treasurer for Georgia schools shall keep an account of the number in each district of scholastic age, (to be obtained from the Commissioner) and divide and distribute *pro rata*, all the school funds in his hands. He shall keep separate the account of each district. And it shall be his duty once in every year, after his annual exhibit to the Grand Jury, and the reception of funds from the State Treasury, county taxes, or other sources, to notify the Trustees in each district of the county, the amount in his hands to their credit for the ensuing year. And he shall post a copy of the same in one public place near to, or upon the court house immediately after giving such notice,

SEC. 29. *Be it enacted, etc.*, That the Grand Jury, at the Spring term of the Superior Court, in each county of this State, shall levy such a rate per cent, not to exceed one hundred, on the State tax, as will, when added to the amount received from the State Treasury, be sufficient to pay all the expenses of the District schools in the county; and that assessment shall be collected by the Tax Collector, and paid over to the county Treasurer of the school fund, and take his receipt for the same; and the Tax Collector shall deposit that receipt in the office of the Comptroller General.

BOOK BOARD.

SEC. 30. *Be it enacted, etc.*, That the Governor shall select four persons, citizens of this State, who, with the Superintendent, as chairman, shall constitute a Book Board. That Board, under such rules and regulations as they may see fit to observe, shall, from the publications now in use, select a system, or series of school books, beginning in the primary elements of learning and reaching to such as shall prepare the boy or girl for the Colleges and Universities of this State.

And when the said series shall be selected and published, they shall be the text books used and taught in all the district schools provided for by this act. And the said books shall bear an uniform price, and be, by the direction of the Superintendent, annually furnished to the Commissioner, as the demands of the schools may require. The persons appointed by the Governor under this section, shall hold the appointment for two years.

SEC. 31. *Be it enacted, etc.,* That any branch of education may be taught in the Georgia Schools.

SEC. 32. That all laws in conflict with this Act are hereby repealed.

O. L. SMITH, *Chairman.*
D. E. BUTLER,
F P BROWN,
W A. TURNER,
THOS. M. CARTER,
H. R. CASEY

On motion, fifty copies of the foregoing bill was ordered to be printed for the use of the Senate.

Mr. SMITH, chairman of the Committee on Enrollment, reported as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following act, to-wit:

An Act to repeal the 29th section of an act to incorporate the Columbia & Augusta Railroad Company.

Mr. BUTLER reported the following resolution:

Resolved, That the Senate and House of Representatives will convene in the hall of the House of Representatives on to-morrow, the 16th instant, at the hour of 12 o'clock, M., and proceed to the election of an United States Senator.

On motion, the rules were suspended, and the resolution was taken up, read and agreed to.

The Senate took up the report of the Committee of the Whole on the bill to incorporate in the State of Georgia an insurance company, to be called the Great Southern Insurance Company

The Committee on the Judiciary, to whom this bill was referred, reported the following as a substitute, to-wit:

A BILL

To be entitled an act to alter and amend an act entitled an act to incorporate in the State of Georgia an insurance company, to be called the Great Southern Insurance Company, assented to December 17th, 1861.

SECTION 1. *The General Assembly of the State of Georgia do enact,* That sections ten and eleven of the above recited

act be, and the same are hereby repealed, and in lieu thereof the following shall be inserted :

The stockholders in said Company shall be individually liable to the creditors of the company for the amount of their stock unpaid; *provided*, that nothing in this act shall be so construed as to impair the liability of the stockholder for any debts or obligations incurred prior to the passage of this act, if any such there should be.

Mr. MOORE moved to amend by adding the following :

“That the stockholder shall only be individually liable to creditors for the amount of stock so subscribed, whether paid in or not.”

Pending the consideration of the same, on motion, the Senate adjourned until to-morrow morning at ten o'clock.

FRIDAY, November 16th, 1866.

THE SENATE met pursuant to adjournment, and was opened by prayer from the Rev. Mr. BUTLER, of the Senate.

Mr. BUTLER moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the resolution bringing on the election of United States Senator : which motion was agreed to.

The committee on the part of the Senate, appointed under the resolution to examine a revised Code, prepared by Samuel C. Elam, consists of Messrs. Moore and Redding.

Mr. OWENS, from the Committee on Internal Improvements, made the following report :

Mr. President : The Committee on Internal Improvements have considered a bill, submitted to them, entitled an act to alter and amend an act entitled an act to incorporate the town of Hawkinsville, in the county of Pulaski, to appoint Commissioners for the same, and to confer certain privileges upon said Commissioners.

Also, to incorporate the town of Grooversville, in Brooks county, and for other purposes, approved December 8, 1859, and have directed me to report that they recommend its passage.

Respectfully submitted,

GEO. S. OWENS, *Chairman.*

Mr. MOORE, Chairman of the Committee on the Judiciary, submitted the following report :

Mr. President : The Judiciary Committee have had

under consideration certain bills, which were referred to them, and all of which they recommend do pass, to-wit :

A bill to relinquish the contingent interest of the State of Georgia in that portion of land below the city of Macon known as the "States' Reserve," and to repeal the proviso to the 1st and 2d sections of the act "to vest that portion of land below the city of Macon known as the States' Reserve in the corporate authorities of the city of Macon," approved March 6th, 1856.

A bill to facilitate the sale of real estate in Georgia, and to encourage immigration thereto.

A bill to declare certain persons competent witnesses, as in the act set out, and for other purposes.

A bill to regulate the pay of grand and petit jurors of the county of Meriwether, and to repeal conflicting laws.

A bill to make valid contracts of apprenticeship made by citizens of Georgia, with agents of the Freedmen's Bureau.

A bill to alter and amend section 4641 of the Code of Georgia; and

A bill for the relief of Benjamin L. Cook, of the county of Quitman, and to save him from the pains and penalties of bigamy.

B. B. MOORE, *Chairman*.

The following message was received from the House of Representatives, through Mr. WADDELL, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bill:

A bill to extend the aid of the State to the completion of the Macon & Brunswick Railroad, and for other purposes.

Mr. OWENS, from the Committee on the state of the Republic, made the following report:

Mr President: The Committee on the state of the Republic have directed me to report that they have considered the message of his Excellency, the Governor, and accompanying documents, in relation to the boundary line between the States of Georgia and Florida, and recommend the adoption of the following resolution:

Resolved by the General Assembly of the State of Georgia, That his Excellency, the Governor, be requested to issue his proclamation, in accordance with the acts of the General Assembly, declaring that the line run by the Surveyors appointed by the States of Florida and Georgia, and known as "Orr and Whitner's line," shall be the boundary line between the States, and directing and requiring all persons within the State to regard the same.

They have also considered a bill to be entitled an act to authorize and require the Governor of the State of Georgia

to call a Convention of the people of this State, and for other purposes : which they recommend do not pass.

Respectfully submitted,

GEORGE S. OWENS, *Chairman.*

On motion of Mr. KENAN, the rules were suspended, and the Senate took up the report of the Committee of the Whole on the bill to increase the fees of the jailor of Baldwin county.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate resumed the unfinished business of yesterday, which was the consideration of the amendment submitted by Mr. Moore to the substitute reported by the Committee on the Judiciary to the bill, to amend an act incorporating an insurance company in the State of Georgia, to be called the Great Southern Insurance Company.

Mr. GRESHAM moved to amend the amendment so that it shall read as follows :

“ The stockholders in said company shall be individually liable to the creditors of the company for the amount of their stock subscribed.”

Whereupon, the yeas and nays were required to be recorded, and are yeas, 22 ; nays, 17.

Those voting in the affirmative, are Messrs.

Barwick,	Crawford,	Owens,
Bell, W R.	Dickey,	Patterson,
Black,	Freeman,	Redding,
Brown,	Gresham,	Simmons,
Butler,	Johnson, J. F	Smith, C. H.,
Carter,	Kenan,	Strickland,
Casey,	McDaniel,	Turner,
		Vanduzer,

Those voting in the negative are Messrs.

Bedford,	Griffin,	Quillian,
Blount,	Johnson, J. A. W	Russell,
Daley,	Manson,	Smith, O. L.
England,	Mims,	Strozier,
Ezzard,	Moore,	Wilcox.
Fuller,	Parris,	

Yeas, 22. Nays, 17 So the amendment was agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

Mr. MOORE submitted a memorial from the Planters' Convention of the State of Georgia.

On motion, two hundred copies of the same was ordered to be printed for the use of the Senate.

The Senate took up the report of the Committee of the Whole on the bill to change the line between the counties of Twiggs and Wilkinson, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Memorial Association of Resaca, and confirm the titles to land.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to facilitate the sale of real estate in Georgia, and to encourage immigration thereto.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

Mr. GRESHAM moved to strike out from the first section the words "by lottery": which motion was lost.

The report of the committee was agreed to, the bill was read the third time, and upon the question: "Shall this bill now pass?" the yeas and nays were required to be recorded, and are yeas, 23; nays, 16.

Those voting in the affirmative are Messrs.

Bedford,	Griffin,	Simmons,
Black,	Johnson, J. A. W	Smith, C. H.,
Carter,	Johnson, J. F.	Strickland,
Casey,	Mims,	Strozier,
Crawford,	Moore,	Turner.
Daley,	Owens,	Vanduzer,
Freeman,	Parris,	Wilcox.
Fuller,	Patterson,	

Those voting in the negative are Messrs.

Barwick,	Butler,	Kenan,
Bell, W. R.	Dickey,	Manson,
Blount,	England,	McDaniel,
Bower,	Ezzard,	Quillian,
Brown,	Gresham,	Russell,
		Smith, O. L.

Yeas, 23; nays, 16. So the bill was passed.

The Senate took up the report of the Committee of the Whole on the reconsidered bill to so far modify the laws against lotteries as to adopt a scheme to enable children of destitute soldiers and the orphans of such as died in military service to receive a liberal education.

The report of the Committee as amended was agreed to, the bill was read the third time, and upon the question: "Shall the bill now pass?" the yeas and nays were required to be recorded, and are yeas, 24; nays, 14.

Those voting in the affirmative are Messrs.

Bedford,	Ezzard,	Owens,
Black,	Freeman,	Parris,
Bower,	Fuller,	Patterson,
Carter,	Griffin,	Simmons,
Casey,	Johnson, J. A. W.,	Strickland,
Crawford,	Johnson, J. F.,	Strozier,
Daley,	Mims,	Vanduzer,
Dickey,	Moore,	Wilcox.

Those voting in the negative are Messrs.

Barwick,	England,	Quillian,
Beall, W. R.,	Gresham,	Russell,
Blount,	Kenan,	Smith, C. H.,
Brown,	Manson,	Smith, O. L.,
Butler,	McDaniel,	

Yeas, 24; nays, 14. So the bill was passed.

The Senate took up the report of the Committee of the Whole on the bill to detach the county of Lowndes from the Southern Judicial Circuit, and to add the same to the Brunswick Judicial Circuit.

The Committee on the Judiciary, to whom this bill was referred, reported the same back to the Senate, with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and lost.

Mr. SMITH, Chairman of the Committee on Enrollment, reported as duly enrolled and signed by the Speaker of the House of the House of Representatives, and ready for the signature of the President of the Senate, the following resolutions and acts, to-wit:

Resolution in regard to service in Representative Hall, on the 22d instant.

Also, an act to make the Justices of the Peace in Marion county *ex officio* Road Commissioners for their respective districts in said county.

Also, an act to extend the time within which Tax Collectors in this State shall be required to make their final returns to the Comptroller General for the present year.

Also, an act to change the time of holding the Superior Court in Clay county.

Also, an act to amend an act, entitled an act to legalize and make valid certain acts of Notaries Public in this State, and for other purposes, approved 17th March, 1866.

Also, an act to reduce the tax and define powers of the Town Council of Cartersville, in Bartow county.

Also, an act to amend an act, entitled an act to incorporate the Water Lot Company of the city of Columbus, approved 27th December, 1845.

Also, an act to incorporate the town of Marshallville, in the county of Macon.

Also, an act to amend an act, entitled an act to incorporate the Southern Mutual Insurance Company, as approved December 29, 1847

Also, an act to amend an act, entitled an act for the relief of maimed indigent soldiers and officers, citizens of this State, who belonged to military organizations of this State, in the State or Confederate armies, by striking out the word "indigent," wherever occurring in said act, and for other purposes.

Also, an act to prevent the obstruction of Spring Creek, so far as relates to the counties of Miller, Decatur and Early.

Mr. BUTLER, from the Select Joint Committee, to whom was referred—

A bill to be entitled an act to educate the indigent maimed soldiers of Georgia, and to provide the necessary means for the same, reported a bill as a substitute, with the same title.

Also, certain recommendations in reference to a series of school books.

Also, a report from the School Commissioner, (Mr. James G. Montgomery,) appointed at the last session of the General Assembly.

The Senate took up the special order, which was the consideration of the report of the Committee of the Whole on the bill for the pardon of Creed T. Wise, a convict in the Penitentiary for the crime of murder.

The Judiciary Committee, to whom this bill was referred, reported the same back to the Senate without recommendation.

The report of the committee was agreed to, and a constitutional majority being necessary to the passage of the bill, the yeas and nays were required to be recorded, and are yeas, 23; nays, 15.

Those voting in the affirmative are Messrs.

Bell, W. R.,	England,	Quillian,
Black,	Griffin,	Russell,
Blount,	Johnson, J. A. W.,	Smith, C. H.,
Bower,	Johnson, J. F.,	Smith, O. L.,
Brown,	McDaniel,	Strickland,
Butler,	Mims,	Strozier,
Carter,	Parris,	Vanduzer.
Daley,	Patterson,	

Those voting in the negative, are Messrs.

Barwick,	Freeman,	Moore,
Bedford,	Fuller,	Owens,
Casey,	Gresham,	Simmons,
Dickey,	Kenan,	Turner,
Ezzard,	Manson,	Wilcox.

Yeas, 23; Nays, 15. So the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill in reference to Confederate contracts.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

On motion of Mr. TURNER, the bill was laid on the table for the present.

The Senate took up the report of the Committee of the Whole on the bill to extend the provisions of an act, approved March 4th, 1856, entitled an act to protect the citizens of the counties of Worth, Richmond, Clinch, Berrien and Bryan from the injurious consequences of camp-hunting by non-residents, to the county of Irwin.

The report of the Committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to repeal the second section of an act, approved March, 1866, entitled an act to authorize any sheriff, constable, and other arresting officers of any county in this State, to arrest in any county, wherever found, any person charged with a crime, under a warrant issued by any judicial officer.

The Committee on the Judiciary, to whom this bill was referred, reported the same back to the Senate, and recommend that it do not pass.

The report of the committee was disagreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and the following bill was read the second time and referred to the Committee on the Judiciary, to-wit :

A bill for the relief of Benson Roberts, administrator of John N. Mangham, late of the county of Pike, deceased, and to authorize a settlement of said estate.

The rules being further suspended, the following bill of the House of Representatives was read the first time, to-wit :

A bill to authorize and require the Treasurer of this State to make certain advances, and for other purposes.

Leave of absence was granted to the President of the Senate for a few days.

On motion, the Senate adjourned until to-morrow morning, at 10 o'clock.

SATURDAY, November 17, 1866.

THE SENATE met pursuant to adjournment, and was opened with prayer by the Rev. Mr. BROOKS.

Mr. BLOUNT moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill for the pardon of Creed T. Wise, a convict in the Penitentiary for life, for the crime of murder, which motion was agreed to.

Mr. J. F. JOHNSON moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill to repeal the second section of an act, approved March, 1866, entitled an act to authorize any sheriff, constable and other arresting officers of any county in this State to arrest in any county wherever found, any person charged with a crime, under a warrant issued by any judicial officer; whereupon the yeas and nays were required to be recorded, and are yeas 27; nays 10.

Those voting in the affirmative are Messrs.

Barwick,	Daley,	Mims,
Bell, W. R.	Dickey,	Owens,
Blount,	England,	Patterson,
Bower,	Freeman,	Redding,
Brown,	Griffin,	Russell,
Butler,	Gresham,	Smith, C. H.
Carter,	Johnson, J. A. W.	Smith, O. L.
Casey,	Johnson, J. F.	Strickland,
Crawford,	Kenan,	Turner.

Those voting in the negative are Messrs.

Bedford,	Manson,	Simmons,
Black,	McDaniel,	Strozier,
Ezzard,	Quillian,	Vanduzer.
Fuller,		

Yeas, 27; nays, 10. So the motion was agreed to.

On motion of Mr. J. F. JOHNSON, the bill just reconsidered was taken up, and, on motion of Mr. GRESHAM, the same was laid on the table for the balance of the session.

On a call of the roll, the following bills were introduced and severally read the first time, to-wit:

By Mr. J. A. W. JOHNSON—

A bill to incorporate the People's Savings Bank of Dalton.

By Mr. J. F. JOHNSON—

A bill to so far modify the laws against lotteries as to adopt a scheme to enable the Masonic fraternity to build a widow and orphans' home, and for other purposes.

Also, a bill to legalize the sale and conveyance of lands by Julia A. Burnside, administratrix on the estate of Thomas Burnside, late of Clayton county, deceased.

By Mr. O. L. SMITH—

A bill to incorporate the stockholders of the Cartersville and Van Wert Railroad Company.

Mr. C. H. SMITH submitted a memorial from H. D. Cothran respecting a steam engine, now in possession of the Western & Atlantic Railroad, which was read and referred to the Committee on Finance.

Mr. CASEY, from the Committee on Banks, submitted the following report:

Mr. President: The Committee on Banks, to whom was referred the bill to be entitled an act to amend the second section of an act to incorporate the Georgia Home Insurance Company, of the city of Columbus, assented to December 12th, 1859, have had the same under consideration, and report the same back to the Senate, with the recommendation that it do pass.

On motion of Mr. OWENS, the rules were suspended, and the Senate took up the resolution reported by the Committee on the State of the Republic in reference to the boundary line between Georgia and Florida.

On motion, the further consideration of the same was postponed for the present.

The Senate took up the special order, which was the consideration of the report of the majority of the joint special committee to whom various bills had been submitted in reference to the abolition and modification of the County Court.

Mr. BLOUNT called for the previous question, which was not sustained.

Upon the question of the adoption of the majority report, the yeas and nays were required to be recorded, and are yeas 19; nays 20.

Those voting in the affirmative are Messrs.

Barwick,	Kenan,	Simmons,
Black,	McDaniel,	Smith, C. H.
Butler,	Mims,	Smith, O. L.,
Carter,	Owens,	Strickland,
Casey,	Parris,	Turner,
Gresham,	Redding,	Vanduzer.
Johnson, J. F.,		

Those voting in the negative are Messrs.

Bedford,	Dickey,	Manson,
Bell, W. R.,	England,	Patterson,
Blount,	Ezzard,	Quillian,
Bower,	Freeman,	Russell,
Brown,	Fuller,	Strozier,
Crawford,	Griffin,	Wilcox.
Daley,	Johnson, J. A. W.,	

Yeas 19; Nays 20. So the report was disagreed to.

On motion, the Senate adjourned until Monday morning at 10 o'clock.

MONDAY, November 19th, 1866.

The Senate met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Yarbrough.

Mr. O. P. BEALL moved to reconsider so much of the Journal of Saturday as relates to the action of the Senate on the majority report of the joint special committee to whom various bills had been submitted in reference to the abolition and modification of the County Court, which was agreed to.

On motion of Mr. STROZIER, the rules were suspended, and the majority report of the committee just reconsidered, together with the various bills in reference to the County Court, were taken up and referred to a special committee of five.

The committee appointed under the above consists of Messrs. Strozier, Owens, C. H. Smith, Simmons and Butler.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have concurred in the joint resolution from the Senate to furnish the counties of Fannin and Pickens copies of decisions of the Supreme Court and other books.

Mr. O. L. SMITH, from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President of the Senate and the Speaker of the House of Representatives, the following resolution, to-wit:

Joint resolution to furnish the counties of Fannin and Pickens copies of decisions of the Supreme Court, and other books.

On motion, the rules were suspended, and Mr. MIMS introduced a bill to alter and amend section 45th of an act to organize a County Court, define its jurisdiction, and for other purposes, which was read the first time.

The rules being further suspended, on motion of Mr. PARRIS, the Senate took up the resolution requiring the Governor to lay before the next General Assembly the number of acres of land undisposed of in McIntosh Reserve in the city of Atlanta, in the city of Chattanooga, and lying in or near the city of Macon, and the probable value of the same.

On motion, the same was laid on the table for the present.

Mr. OWENS, from the Committee on the Judiciary, made the following report:

Mr. President: The Judiciary Committee have had under consideration the bill for the relief of Benson Roberts, administrator of John N. Mangham, late of the county of Pike, deceased, and to authorize a settlement of said estate: and recommend that the same be passed.

They have also considered the bill to authorize merchants and shop keepers to vend drugs and medicines, and for other purposes : which they recommend do not pass..

GEORGE S. OWENS,
Chairman.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills :

A bill to change the county line between the counties of Appling and Coffee.

A bill to change the line between the counties of Wilcox and Pulaski.

They have also agreed to the substitute of the Senate for the resolution authorizing I. W. Avery, Esq., to lay before a committee a digest of the decisions of the Supreme Court.

The Senate took up the special order of the day, which was the consideration of the bill to alter and amend an act for the relief of the people of Georgia, and to prevent the levy and sale of property within a limited period, passed March 8th, 1866.

The Committee on the Judiciary, to whom this bill was referred, recommend the passage of the same, with the following as an additional section, to-wit :

And be it further enacted, That the figures "1865," in the fifth line of the first section, be struck out, and the figures "1866" inserted in lieu thereof.

On motion, the amendment was disagreed to.

On motion of Mr. STROZIER, the proviso to the first section was stricken out.

Mr. GRESHAM moved to strike out all after the enacting clause, and insert the following, to-wit :

That the act of March 8th, 1866, shall be so construed that the failure to pay the installment due on the first day of January, 1867, or any future installment, shall not cause the whole debt to become due, but the creditor shall have the power to enforce the collection of said installments, and no more of said demand.

Which motion was lost.

Mr. O. P. BEALL submitted the following as an additional section, which was agreed to, to-wit :

And be it further enacted, That the first section of the act of which this is amendatory be so construed to mean, that where the defendant shall fail to pay any installment as mentioned in said act, said plaintiff may proceed to collect said

installment, but shall have no right to proceed against defendant for the remainder, until the time stated in this act for the payment of the other several installments.

Mr. DICKEY submitted the following proviso as an amendment to the same:

Provided the said defendant shall pay or cause to be paid one-fourth part of the amount of principal and interest of such execution, or of the debt or claim, on which such execution has been or may hereafter be obtained, by the 1st day of January, 1868, and the remainder of the debt in two equal installments, by the 1st day of January, 1869 and 1870.

On motion, the amendment was disagreed to.

Mr. STROZIER submitted the following as an additional section, which was disagreed to, to-wit:

And be it further enacted, That all judgements founded upon foreclosure of mortgages upon land, for the purchase money, shall be excepted from the operation of the above act, and that the creditor shall have the right to sell said land so mortgaged, but nothing more.

The report of the committee as amended was agreed to, the bill was read the third time, and upon the question, Shall this bill now pass? the yeas and nays were required to be recorded, and are yeas 30; nays 7

Those voting in the affirmative are Messrs.

Barwick,	England,	Patterson,
Beall, O. P.	Ezzard,	Quillian,
Black,	Freeman,	Russell,
Blount,	Fuller,	Simmons,
Brown,	Griffin,	Smith, C. H.
Butler,	Johnson, J. A. W	Smith, O. L.
Carter,	Johnson, J. F.	Strickland,
Casey,	Manson,	Turner,
Daley,	Mims,	Vanduzer,
Dickey,	Parris,	Wilcox.

Those voting in the negative are Messrs.

Bell, W R.	McDaniel,	Redding,
Gresham,	Owens,	Strozier.
Kenan,		

Yeas 30; nays 7 So the bill was passed.

The Senate took up the special order of the day, which was the consideration of the report of the Committee of the Whole on the bills to exempt certain property from levy and sale.

Pending the consideration of the same, on motion the Senate adjourned until 3 o'clock, P M.

THREE O'CLOCK, P. M.

THE SENATE met pursuant to adjournment.

On motion of Mr. GRESHAM, the rules were suspended for the reading of bills the second time.

The following bills were severally read the second time, and referred to the Committee on the Judiciary, to-wit:

A bill to abolish imprisonment for debt in this State.

A bill to make valid certain judgments rendered by the Inferior Courts of this State.

A bill to add an additional section to division 4th, part 4th, title 1st, of the Penal Code.

A bill to authorize suits to be brought against any railroad or express company in this State, and against the superintendent of the Western & Atlantic Railroad, in any county in which such road or express company may have a place of business and an officer or agent.

A bill to repeal an act entitled an act to amend the 3984th and 3985th sections of the Code of Georgia, and for other purposes.

A bill to amend the 3753d section of the Code.

A bill to legalize the sale and conveyance of lands by Julia A. Burnside, administratrix on the estate of Thomas Burnside, late of Clayton county, deceased.

A bill to require costs to be paid in advance, and to prescribe the amount, etc.

A bill to extend to orphan children the benefit of dower, or commutation of dower, in the same manner and to the same extent as their mother would be, if living.

A bill to donate the Okefenokee Swamp lands belonging to the State of Georgia as a permanent endowment to the Georgia Orphan Home.

The following bill was read the second time, and on motion of Mr. BUTLER was withdrawn, to-wit:

A bill to repeal section 4413 of the Code of Georgia in reference to carrying deadly weapons.

The following bills were read the second time and referred to the Committee on Banks, to-wit:

A bill to transcribe and define the liability of the stockholders of banks in this State, and for other purposes.

A bill to incorporate the People's Savings Bank of Dalton.

The following bills were severally read the second time, to-wit:

A bill to prevent bathing in streams or ponds of water, on the Sabbath day, on roads leading to or from houses of religious worship.

A bill to allow the jailor of Tattnall county to charge fifty per cent. on the jail fees now allowed by law.

A bill to provide for education, and to establish a general system of Georgia schools.

A bill to so far modify the laws against lotteries as to adopt a scheme to enable the Masonic fraternity to build a widow and orphan's home, and for other purposes.

A bill to amend the charter of the Planters' Convention of the State of Georgia, so far as to change the name thereof.

The following bill was read the second time, and referred to the Committee on Internal Improvements, to-wit:

A bill to incorporate the stockholders of the Cartersville and Van Wert Railroad Company.

On motion of Mr. STROZIER, the rules were suspended, and the following bill was introduced and read the first time:

A bill to alter and amend the second section of an act approved March 17th, 1866, entitled an act to define and regulate court contracts, and to prescribe the manner of enforcing the same in the County Courts.

The following bills of the House of Representatives were severally read the first time, to-wit:

A bill to extend the aid of the State to the completion of the Macon and Brunswick Railroad, and for other purposes.

A bill to authorize an advance payment to be made to the Public Printer of the present session of the Legislature.

A bill for the relief of certain persons therein named.

A bill to repeal an act assented to December 11th, 1858, to change the lines between the counties of Dougherty and Worth, and re-establish said line between said counties.

A bill to incorporate the Hawkinsville Manufacturing Company, of Pulaski county, Georgia.

A bill to alter and amend an act to alter and amend the Penal Code of Georgia.

A bill to amend the *certiorari* laws of this State.

A bill to incorporate the Raccoon Coal Mining Company, and to extend the provisions of an act to incorporate the Wahatchee Mining Company, approved March 6th, 1866, to the same.

A bill to amend the 3253d section of the Code of Georgia.

A bill to authorize and require the Justices of the Inferior Court of Decatur county to order the payment of the superintendents, clerks, and those who consolidate the returns of elections of said county, for their services.

A bill to authorize the Justices of the Inferior Court of Camden county to levy a special tax for county purposes, and to regulate the same.

A bill to amend an act entitled an act to incorporate the town of Ellaville, in Schley county, approved November 23d, 1859.

A bill to encourage sheep raising in this State.

A bill to approve the consolidation of certain railroad companies therein named, and to authorize the consolidated companies to adopt a corporate name.

A bill to change the line between the counties of Wilcox and Pulaski.

A bill to change the county line between the counties of Appling and Coffee.

A bill to prevent persons from interfering, so as to induce laborers or servants to abandon their contracts, or to employ such without the consent of their original employer, before the expiration of their contract, etc.

A bill to amend the charter of the Mount Vernon Institute, in Washington county.

The following bill of the House of Representatives was read the second time, to-wit:

A bill to authorize and require the Treasurer of this State to make certain advances, and for other purposes.

On motion, the Senate adjourned until to-morrow morning, at 10 o'clock.

TUESDAY, November 20th, 1866.

THE SENATE met, pursuant to adjournment, and was opened with prayer by the Rev. Mr. YARBROUGH.

Permission was granted to Mr. GRIFFIN to record his vote in the affirmative, on the bill to alter and amend an act for the relief of the people of Georgia, and to prevent the levy and sale of property within a limited period, passed March 8th, 1866.

Leave of absence was granted to the Senators from the 36th, 6th, 9th, 18th, 27th, and 19th districts for a few days.

Mr. STROZIER moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the amendment reported by himself, to the bill to alter and amend an act for the relief of the people of Georgia, and to prevent the levy and sale of property within a limited period, passed March 8th, 1866, which motion was lost.

Mr. McDANIEL moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the foregoing bill.

Which motion was lost.

Mr. OWENS, from the Committee on Internal Improvements, submitted the following report, to-wit:

Mr. President: The Committee on Internal Improvements

have considered several bills, and direct me to report, as follows :

A bill to be entitled, an act to incorporate the stockholders of the Cartersville & Van Wert Railroad Company, which they propose to amend by striking out the 4th section, and with this amendment recommend its passage.

Also, a bill to be entitled, an act to incorporate the Mosskill Manufacturing Company, which they propose to amend by adding to the caption the words "of Baldwin county;" also, by inserting after the word "company," in the 11th line of the 1st section, the words of "Baldwin county," and by adding at the close of the 1st section, the words "the principal place of business of said company shall be at Milledgeville or such other point in said county as the company shall designate;" and by adding at the close of the 2d section the words, "provided such locks, dams or canals shall in no way interfere with the navigation, or obstruct the main channel of said river," and with these amendments recommend its passage.

GEO. S. OWENS, *Chairman*.

The Senate resumed the unfinished business of yesterday, which was the consideration of the bill to exempt certain property from levy and sale.

Mr. GRESHAM moved to strike out the words "and sixty," in the 7th line of the first section.

Which motion was lost.

Mr. J. F. JOHNSON moved to amend the first section by striking out the word "one," in the 9th line, and insert the word "four."

Which was agreed to.

Mr. DICKEY moved to further amend the 1st section by adding after the word "hogs," in the 12th line, the words "and ten head of sheep."

Which was agreed to.

Mr. GRESHAM submitted the following proviso to the first section, to-wit :

"Provided that in case the property hereby exempted shall consist of town property, that the value of the property shall not be more than five thousand dollars and if the property claimed for exemption, shall be valued at more than five thousand dollars, then the same may be sold and from the proceeds of sale the sum of five thousand shall be set aside by the Court, which shall be invested in other property, to be held under the provisions of this act."

Mr. McDANIEL moved to amend the amendment, by striking out the words "five thousand" and inserting the words "twenty-five hundred."

Which motion was lost.

On motion, the amendment of Mr. GRESHAM was agreed to.

Mr. McDANIEL moved to amend by striking out in the 11th line the words "one yoke of oxen and cart."

Which motion was lost.

Mr. REDDING reported the following as an additional section, to-wit :

"This act shall not affect any contract or other obligations heretofore contracted, but shall apply to all debts, contracts, or liabilities created after the passage thereof."

Whereupon, the yeas and nays were required to be recorded, and are yeas, 13 ; nays, 21.

Those voting in the affirmative are Messrs.

Bell, W R.,	England,	McDaniel,
Black,	Freeman,	Owens,
Butler,	Gresham,	Redding,
Crawford,	Kenan,	Russell,
		Thornton.

Those voting in the negative are Messrs.

Barwick,	Ezzard,	Parris,
Beall, O. P.,	Fuller,	Simmons,
Blount,	Griffin,	Smith, C. H.,
Carter,	Johnson, J. A. W.,	Strickland,
Casey,	Johnson, J. F.,	Strozier,
Daley,	Manson,	Vanduzer,
Dickey,	Mims,	Wilcox.

Yeas, 13 ; nays, 21. So the amendment was lost.

Mr. STROZIER moved to amend the proviso to the first section by inserting before the word "property," in the third line, the word "town," and inserting the same word before the word "property" in the 4th line of the same.

Which was agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time, and upon the question: "Shall this bill now pass?" the yeas and nays were required to be recorded, and are yeas, 22 ; nays, 14.

Those voting in the affirmative are Messrs.

Beall, O. P.,	Ezzard,	Parris,
Black,	Fuller,	Patterson,
Blount,	Griffin,	Simmons,
Carter,	Johnson, J. A. W.,	Smith, C. H.,
Casey,	Johnson, J. F.,	Strickland,
Daley,	Manson,	Strozier,
Dickey,	Mims,	Vanduzer,
		Wilcox.

Those voting in the negative are Messrs.

Barwick,	Freeman,	Quillian,
Bell, W R.,	Gresham,	Redding,
Butler,	Kenan,	Russell,
Crawford,	McDaniel,	Thornton.
England,	Owens,	

Ayes, 22; nays, 14. So the bill was passed.

Mr. J. A. W JOHNSON, from the Joint Committee appointed to procure the services of a minister to officiate in the Hall of the House of Representatives on the day set apart for fasting and prayer, made the following report :

Mr. President: The Joint Committee, appointed to procure the services of a minister to preach a sermon in the House of Representatives on the 22d inst., have instructed me to report that they have procured the services of the Rev. E. W. Warren, of the city of Macon.

Respectfully submitted.

The following message was received from the House of Representatives, through Mr. WADDELL, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills :

A bill to incorporate the Mechanics' Steam Power Company.

A bill to pay, in money, to each wounded disabled soldier, the value of the artificial limb to which he may be entitled under an act of the General Assembly, approved March 13th, 1866, under such provisions as are contained in this act.

A bill to compensate grand and petit jurors of the Superior, Inferior and County Courts, in the county of Decatur, in this State, and to authorize the levy of an extra tax for said purpose.

A bill to authorize the Inferior Court of DeKalb county to increase the fees of jailor for said county.

A bill to exempt persons actually engaged in attending to a grist mill from jury duty.

A bill to prevent obstructions in the Okolocknee river, so far as relates to the counties of Thomas and Colquitt, and for other purposes.

A bill to legalize the acts of the Inferior Court of Echols county.

A bill explanatory of the sixth section of an act entitled an act to levy and collect a tax for the support of the Government for the year 1866, and for other purposes, approved 3d March, 1866.

A bill to prescribe the mode of electing the mayor and members of council of the city of Atlanta.

A bill to authorize the Justices of the Inferior Court of Decatur county to issue bonds for the payment of erecting a

bridge over the Flint river, within the limits of Bainbridge, or for the payment of stock in a corporate company for that purpose.

Also, by a constitutional vote of ayes 110, nays 5, the following bill:

A bill to incorporate the Ocmulgee Loan and Savings Bank Association, and to confer upon the same certain powers and privileges therein specified.

Mr. OWENS, from the Committee on the Judiciary, submitted the following report:

Mr. President: The Judiciary Committee, to whom were referred certain bills, have had the same under consideration, and direct me to report thereon, as follows:

A bill to legalize the sale and conveyance of lands by Julia A. Burnside, administratrix on the estate of Thomas Burnside, late of Clayton county, deceased: which they recommend do pass.

Also, a bill to donate the Okefenokee Swamp lands, belonging to the State of Georgia, as a permanent endowment to the Georgia State Orphan Home: which they recommend do pass.

Also, a bill to add an additional section to division 4th, part 4th, title 1st, of the Penal Code, which they propose to amend by striking from the first section all after the words "shall be punished," and inserting in lieu thereof the following, "as for other misdemeanors," and with this amendment they recommend that the bill be passed.

Also, a bill to amend section 3753 of the Code: which they recommend do pass.

Also, a bill to define the jurisdiction of courts in criminal cases of bastardy, and to regulate certain proceedings therein: which they recommend do not pass.

Also, a bill to require costs to be paid in advance by parties plaintiffs, and to prescribe the amount thereof, and the mode of recovering the same, and for other purposes: which they recommend do not pass.

Also, a bill to amend an act entitled an act to amend the charter of the Georgia Western Railroad, passed December 20th, 1860: which they recommend do pass.

Also, a bill to define the residence of corporations, and to perfect service on the same: which they recommend do not pass.

Also, a bill to authorize suits to be brought against any railroad or express company in this State, and against the superintendent of the Western & Atlantic Railroad, in any county in which such road or express company may have a place of business and an officer or agent: which they recommend do pass.

Also, a bill to abolish imprisonment for debt in this State: which they recommend do not pass.

Also, a bill to make valid certain judgments rendered by the Inferior Courts of this State: which they recommend do pass.

Also, a bill regulating the manner of convicts laboring upon public works, for which they recommend a substitute, entitled a bill to amend an act to regulate the manner of convicts laboring upon public works, and to define the powers and duties of the Inferior Court and Governor of the State, touching the same, and for other purposes therein mentioned, approved 20th March, 1866, and which substitute is as follows:

"SECTION 1. *The General Assembly of Georgia do enact*, That the Justices of the Inferior Court of the several counties shall have power, and are required to provide suitable places for the safe keeping of all convicts, and to make provision for their support by the county, and to employ such overseers or guards, or both, as may be necessary for their safe keeping, and for their constant and diligent employment upon the public works, and shall also have power to hire out or bind out such convicts to contractors on the public works or to individuals, upon such bonds and restrictions as shall subserve the ends of justice. And for the purposes aforesaid, any two or more counties, by said Justices, may combine, keep and work together such convicts on such terms and upon such public works, anywhere in the State, as they may agree upon, and the Governor may, if he deems it advisable, refuse to receive such convicts from said Justices, as required of him by the second section of said act.

"GEO. S. OWENS, *Chairman.*"

The Senate took up the special order of the day, which was the consideration of the report of the Committee of the Whole on the bill to allow the redemption of real estate, sold under execution, within a specified time.

The Committee on the Judiciary, to whom this bill was referred, reported the same back to the Senate with the recommendation that it do pass.

Mr. McDANIEL offered the following as a proviso to the 5th section: which was disagreed to, to-wit:

Provided, the purchaser shall have the right to eject the party in possession by showing that the premises have been or are being materially damaged by the neglect or mismanagement of the party in possession.

The report of the committee was agreed to, the bill was read the third time and passed.

Mr. SMITH, chairman, from the Committee on Finance, submitted the following report:

Mr. President: The Committee on Finance have had under consideration the following resolution, to-wit: A resolution to authorize the officers of the Western & Atlantic Railroad and the Tax Collectors in this State to receive in payment for dues to said Road and taxes due the State, certain change bills issued by the Superintendent of said Road, under the act of the General Assembly, assented to December 7th, 1861, and April 6th, 1863: which they report back to the Senate, without recommendation.

CHARLES H. SMITH,
Chairman.

On a call of the roll, the following bills were introduced and severally read the first time, to-wit:

By Mr. GRIFFIN—

A bill to amend the 2301st section of the Code of Georgia.

By Mr. J. A. W. JOHNSON—

A bill to amend an act organizing a County Court, define its jurisdiction, and for other purposes.

By Mr. MIMS—

A bill to add the lot of land in which Robert H. Gray resides, in the county of Screven, to the county of Burke, with a petition attached.

By Mr. STROZIER—

A bill to amend section 1673 of the Code of Georgia.

Also, a bill to except the county of Worth from the operation of section 586, exempting road hands from being compelled to work on roads more than three miles from their residence.

Also, a bill to alter and amend the 4476th section of the Code, so as to make the maiming of hogs and other domestic animals a misdemeanor.

Also, a bill to amend the 3d paragraph of section 1980 of the Code of Georgia.

By Mr. PATTERSON—

A bill to allow County Solicitors of the County Courts fees in certain cases therein named.

The Senate took up the report of the Committee of the Whole on the bill to relinquish the contingent interest of the State of Georgia in that portion of the land below the city of Macon, known as the State's reserve, and to repeal the proviso to the 1st section and the 2d section of the act, to vest that portion of land below the city of Macon, known as the State's Reserve, in the corporate authorities of the city of Macon, approved March 6th, 1856.

The Committee on the Judiciary, to whom this bill was referred, reported the same back to the Senate, with the recommendation that it do pass.

The report of the committee was agreed to.

On motion of Mr. J. A. W. Johnson, the bill was recommitted, and he reported the following proviso, which was agreed to, to-wit:

Provided, the said ten thousand dollars be paid into the State Treasury within twelve months after the passage of this act.

The report of the committee, as amended, was agreed to, the bill was read the third time, and upon the question, Shall this bill now pass? the yeas and nays were required to be recorded, and are yeas 25; nays 10.

Those voting in the affirmative are Messrs.

Barwick,	Ezzard,	Mims,
Bell, W. R.	Freeman,	Owens,
Black,	Fuller,	Patterson,
Blount,	Griffin,	Redding,
Brown,	Gresham,	Simmons,
Butler,	Johnson, J. A. W.	Smith, C. H.
Casey,	Johnson, J. F.	Thornton,
Crawford,	McDaniel,	Wilcox.
Daley,		

Those voting in the negative are Messrs.

Carter,	Parris,	Strickland,
England,	Quillian,	Strozier,
Kenan,	Russell,	Vanduzer.
Manson,		

Yeas 25; nays 10. So the bill was passed.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY, November 21st, 1866.

THE SENATE met pursuant to adjournment, and was opened by prayer from the Rev. Mr. YARBROUGH.

Leave of absence was granted to the Senators from the 16th, 17th and 39th Districts for a few days.

On motion, the rules were suspended for the introduction of new matter, and on a call of the roll, the following bills were introduced and severally read the first time, to-wit:

By Mr. BUTLER—

A bill to extend the provisions of section 4220 of the Code in all cases in which the penalty of death is prescribed.

By Mr. DALEY—

A bill to amend paragraph 1401, chapter 9th, part 1st, title 15th, of the Code of Georgia.

By Mr. GRESHAM—

A bill to authorize the redemption of a certain part of the bonds of the State of Georgia.

By Mr. PARRIS—

A bill to regulate the mode of advertising sheriffs' and constables' sales in this State.

By Mr. SIMMONS—

A bill for the relief of Martha A. Britt, of the county of Crawford.

By Mr. STROZIER—

A bill to pay the jury fees in the county of Worth to the jury by the plaintiff or appellant, and to authorize the Inferior Court of said county to assess and collect an extra tax in said county, to pay juries—petit 75 cents, and grand one dollar per day.

Also, a bill to alter and amend sections 3866 and 3868, and repeal section 3869 of the Code of Georgia.

By Mr. THORNTON—

A bill to change the place of holding legal sales in the county of Muscogee.

By Mr. BROWN—

A bill to amend an act entitled an act to incorporate the town of White Plains, in Greene county.

Mr. J. A. W. JOHNSON reported the following resolution:

Resolved, That the Finance Committee be directed to take into consideration (in accordance with his Excellency's recommendation), the propriety of raising the salaries of the Superintendent, Auditor and Treasurer of the Western & Atlantic Railroad, and report by bill or otherwise.

On motion, the rules were suspended, and the resolution was taken up, read and agreed to.

Mr. CARTER, from the Committee on Enrollment, reported as duly enrolled and signed by the Speaker of the House of Representatives, and attested by the Clerk, ready for the signature of the President of the Senate, the following resolution:

A resolution authorizing I. W. Avery, Esq., to lay before a committee a Digest of the decisions of the Supreme Court.

On motion, the rules were suspended, and the Senate took up the report of the Committee of the Whole on the bill for the discharge of insolvent debtors, and to dispose of said insolvents' property.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the rules were further suspended, and the Senate took up the report of the Committee of the Whole on the reconsidered bill to repeal so much of sections 3499 and 3500 of the Code, as gives a lien to judgments upon defendants' property, or prevents alienation by defendants, of his property, and for other purposes.

The Committee on the Judiciary, to whom this bill was referred, reported adversely to the passage of the bill.

The report of the committee was agreed to, and the bill was lost.

On motion, the rules were suspended, and Mr. J. F. JOHNSON reported the following resolution :

Resolved, That Colonel Jared I. Whitaker, of Fulton, and the Hon. A. J. Hansell, of Cobb, be and they are invited to seats on the floor of the Senate during their stay at the capital.

On motion, the rules were suspended, and the resolution was taken up, read and agreed to.

The following message was received from the House of Representatives, through Mr. WADDELL, the Clerk thereof :

Mr. President : The House of Representatives have passed the following bills :

A bill to enable owners of mills, mines and manufactories to draw water from branches or other head-waters through intervening lands.

A bill to legalize certain acts of the Fulton Loan and Building Association, and the Stonewall Building and Loan Association.

A bill to incorporate the town of Sylvania, in the county of Screven, to appoint commissioners for the same, and for other purposes.

A bill to regulate continuances, and for other purposes.

A bill to allow defendants to be witnesses in certain cases therein mentioned

A bill to repeal an act entitled "An Act to provide for the election of a superintendent of public roads and bridges in the counties of Wilkes, Muscogee and Lincoln, and such other counties as may adopt the provisions of this act, and to define his rights and duties, and to repeal all laws inconsistent with this act," so far as it is applicable to the counties of Lincoln and Wilkes.

A bill to protect sheriffs and other officers, and to regulate the levy of executions, and for other purposes.

A bill for the relief of Miley E. Tuck, former wife of Seaborn G. Tuck, of Walton county, Georgia.

A bill to appropriate a fund for the burial of the Confederate dead.

On motion, the rules were further suspended, and Mr. KENAN reported the following resolution :

WHEREAS, several of the volumes of the Supreme Court Reports of the county of Baldwin were destroyed during Sherman's raid ; therefore, be it—

Resolved by the Senate and House of Representatives of the State of Georgia, That the State Librarian be required to furnish the Clerk of the Superior Court of Baldwin county with such numbers of the Supreme Court Reports as will complete the sett now in possession of said county ; provided such numbers can be furnished without having to furnish said volumes.

On motion of Mr. THORNTON, the rules were suspended, and the following bill of the House of Representatives was read the second time, and made the special order for Friday next, to-wit :

A bill to extend the aid of the State of Georgia to the completion of the Macon & Brunswick Railroad, and for other purposes.

On motion, fifty copies of the foregoing bill was ordered to be printed for the use of the Senate.

On motion, the rules were further suspended, and the Senate took up the report of the Committee of the Whole on the bill of the House of Representatives for the relief of Benjamin L. Cook, of the county of Quitman, and to save him from the pains and penalties of bigamy.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of the passage of the same.

The report of the committee was agreed to, the bill was read the third time, and upon the question, "Shall this bill now pass, the yeas and nays were required to be recorded, and are yeas 19; nays 14.

Those voting in the affirmative are Messrs.

Barwick,	Fuller,	Simmons,
Beall, O. P.	Griffin,	Strickland,
Black,	Manson,	Strozier,
Butler,	Parris,	Thornton,
Casey,	Patterson,	Vanduzer,
England,	Quillian,	Wilcox.
Freeman,		

Those voting in the negative are Messrs.

Blount,	Ezzard,	Johnson, J. F.
Daley,	Gresham,	Kenan,
Dickey,	Johnson, J. A. W	McDaniel,

Owens,
Redding,

Russell,
Smith, C. H.,

Turner.

Yeas, 19 ; nays, 14. So the bill was passed.

The Senate took up the report of the Committee of the Whole on the bill to declare certain persons competent witnesses, as in the act set out, and for other purposes.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

On motion, the bill was made the special order for Monday, November 26th, and fifty copies of the same ordered to be printed for the use of the Senate.

The Senate took up the report of the Committee of the Whole on the bill regulating the manner of convicts laboring upon the public works.

The Committee on the Judiciary, to whom this bill was referred, reported the same back to the Senate, with the recommendation that the following be adopted as a substitute, to-wit :

A BILL

To be entitled An Act to amend An Act to regulate the manner of convicts laboring upon public works, and to define the powers and duties of the Inferior Court, and the Governor of the State, touching the same, and for other purposes therein mentioned, approved 20th March, 1866.

1. *The General Assembly of Georgia do enact, That the Justices of the Inferior Courts of the several counties shall have power, and are required to provide suitable places for the safe keeping of all convicts, and to make provision for their support by the county, and to employ such overseers or guards, or both, as may be necessary for their safe keeping, and for their constant and diligent employment upon the public works ; and shall also have power to hire out, or bind out, such convicts to contractors on the public works, or to individuals, upon such bonds and restrictions as shall subserve the ends of justice ; and, for the purposes aforesaid, any two or more counties, by said Justices, may combine, keep and work together such convicts, on such terms and upon such public works, any where in the State, as they may agree upon ; and the Governor may, if he deems it advisable, refuse to receive such convicts from said Justices, as required of him by the second section of said act.*

On motion, the substitute was adopted in lieu of the original.

The report of the committee as amended was agreed to, the bill was read the third time and passed, under the following title, to-wit :

A bill to be entitled an act to amend an act to regulate the manner of convicts laboring upon public works, and to define the powers and duties of the Inferior Court, and the Governor of the State, touching the same, and for other purposes therein mentioned, approved 20th March, 1866.

The Senate took up the report of the Committee of the Whole on the bill to amend the 3753d section of the Code.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to make valid certain judgments rendered by the Inferior Courts of this State.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to add an additional section to division 4th, part 4th, title 1st of the Penal Code.

The Judiciary Committee, to whom this bill had been referred, proposed to amend by striking out from the first section all after the words "shall be punished," and insert in lieu thereof the following: "as for other misdemeanors," so as to make the punishment the same as other misdemeanors.

On motion, the amendment was agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to change the line between the counties of Cherokee and Milton, so as to include the residence and farms of Mathias Bates, Lewis M. Hook, Charles Nix and R. J. Bates, of the county of Cherokee, within the county of Milton.

The Committee on New Counties and County Lines, to whom this bill had been referred, recommend the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to relieve certain counties in this State from the payment of State taxes for the years 1867 and 1868, to enable them to rebuild court houses and jails.

The Committee on Finance, to whom this bill was referred, reported adversely to its passage.

On motion, the bill was laid on the table for the present.

The Senate took up the report of the Committee of the Whole on the bill to authorize merchants and shop keepers to vend drugs and medicines, and for other purposes.

The Committee on the Judiciary, to whom this bill had been referred, reported adversely to the passage of the same.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill to authorize and require the Governor of the State of Georgia to call a convention of the people of this State, and for other purposes.

The Committee on the State of the Republic, to whom this bill was referred, reported the same back to the Senate with the recommendation that it do not pass.

On motion, the bill was laid on the table for the present.

The Senate took up the report of the Committee of the Whole on the bill to provide for education, and to establish a general system of Georgia schools.

On motion, the same was made the special order for Monday next.

The Senate took up the report of the Committee of the Whole on the bill for the relief of Benson Roberts, administrator of John N. Mangham, late of the county of Pike, deceased, and to authorize a settlement of said estate.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

The report of the Committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to define the jurisdiction of courts in criminal cases of bastardy, and regulate certain proceedings therein.

The Committee on the Judiciary, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill to educate the indigent maimed soldiers of Georgia, and provide the means for the same.

The joint special Committee on Education, to whom this bill was referred, reported the following as a substitute, to-wit:

A BILL

To be entitled An Act to educate the indigent maimed soldiers of Georgia, and to provide the necessary means for the same.

WHEREAS, It is a matter of primary importance that Georgia should have native educated teachers for the instruction of the children of the State; *and whereas*, there are many indigent maimed soldiers in the State, under thirty years, who, by reason of the loss of limbs, are deprived of the

ability to perform physical labor; *and whereas*, it is a holy and patriotic duty to provide, in the best manner possible, for those unfortunate patriots; for remedy whereof,

Be it enacted, That all indigent maimed soldiers of the State of Georgia, under the age of thirty years old, be educated at the University of the State of Georgia, at the Mercer University, at Emory College, at Oglethorpe University, and at Bowden College, free of charge for tuition, books, board and clothing, until the completion of their collegiate term.

SEC. 2. That upon the application, accompanied with proper vouchers, of any indigent maimed soldier, that he is of the class above specified, to the trustees of said Universities and Colleges, they shall forthwith receive him into said institution, and give him all the benefits of the same, upon the applicant entering into a written obligation, upon his honor, to teach, when he shall have completed his collegiate course, the same number of years in Georgia he may have been in said Universities or Colleges.

SEC. 3. That for the purpose of effectually carrying into efficient operation the provisions of this act, his Excellency, the Governor, be, and he is hereby authorized, should there be no funds provided for the same in the Treasury, to issue to the trustees of said Universities and Colleges, the bonds of the State, payable at such times and in such manner as he may deem best, to an amount sufficient to accomplish and carry into effectual operation the provisions of this act.

MR. EZZARD moved to amend the substitute by inserting after the word "University," in the fourth line, the words, "or in any county where they may reside,"

Which motion was lost.

MR. QUILLIAN moved to strike out the words "in Georgia," in the seventh line of the second section, and insert the words, "in his county."

Which motion was lost.

MR. McDANIEL moved to amend by inserting after the word "University," in the fourth line, the words, "Bowden College."

Which was agreed to.

MR. GRESHAM moved to strike out the words "thirty years" wherever they occur, and insert the words, "twenty-five years."

Which motion was lost.

MR. OWENS moved to amend by adding the following as a proviso to the first section, which was disagreed to, to-wit:

Provided, that the applicant shall, upon examination, be found prepared to enter upon a collegiate course.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to allow the Jailor of Tattnall county to charge fifty per cent. on the jail fees now allowed by law.

Mr. BLOUNT moved to amend by including the county of Stewart in the provisions of the bill, which was agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to prevent bathing in streams or ponds of water on the Sabbath day, on roads leading to or from houses of religious worship.

Mr. EZZARD moved to amend the same by adding the following proviso, which was disagreed to, to-wit:

Provided, that said act shall not be enforced unless such person shall be fully exposed to the sight of any female.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the engrossed bill to explain section second of an act, approved 17th March, 1866, entitled an act to define the term "persons of color," and to declare the rights of such persons.

On motion, the same was indefinitely postponed.

The Senate took up the report of the Committee of the Whole on the bill to abolish imprisonment for debt in this State.

The Committee on the Judiciary, to whom this bill had been referred, reported the same back to the Senate, with the recommendation that it do not pass.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill to authorize suits to be brought against any Railroad or Express Company in this State, and against the Superintendent of the Western & Atlantic Railroad, in any county in which such Road or Express Company may have a place of business and an officer or agent.

The Committee on the Judiciary, to whom this bill had been referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to donate the Okefenokee Swamp lands belonging to the State of Georgia as a permanent endowment to the Georgia Orphan Home.

The report of the committee was agreed to, the bill was read the third time, and a constitutional majority being necessary for the passage of the same, the yeas and nays were required to be recorded, and are yeas 29 : nays 3.

Those voting in the affirmative are Messrs.

Barwick,	Freeman,	Redding,
Beall, O. P	Fuller,	Russell,
Bell, W R.	Griffin,	Simmons,
Black,	Johnson, J. A. W	Smith, C. H.
Blount,	Johnson, J. F.	Strickland,
Butler,	Kenan,	Strozier.
Casey,	Manson,	Thornton,
Daley,	McDaniel,	Turner,
Dickey,	Parris,	Vanduzer.
Ezzard,	Patterson,	

Those voting in the negative are Messrs.

Carter,	England,	Owens.
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Yeas 29 ; nays 3. So the bill was passed by a constitutional majority.

On motion, the Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

On motion, the roll was called, and the following named Senators answered to their names, to-wit :

Bell, W. R.	Owens,	Smith, O. L.
Butler,	Parris,	Strickland,
Johnson, J. A. W	Patterson,	Strozier,
Johnson, J. F.	Russell,	Thornton,
Moore,		

There being no quorum present, on motion, the Senate adjourned until Friday morning at 10 o'clock.

FRIDAY, November 23d, 1866.

THE SENATE met pursuant to adjournment, and was opened by prayer from the Rev. Mr. YARBROUGH.

Mr. J. F. JOHNSON, moved to reconsider so much of the Journal of Wednesday as relates to the action of the Senate

on the bill for the discharge of insolvent debtors, and to dispose of said insolvents' property, which motion was lost.

The following message was received from his Excellency, the Governor, by Mr. Hunter, his Secretary, to-wit:

Mr. President: I am directed by the Governor to deliver to the Senate a communication in writing, with an accompanying document.

Mr. MOORE moved to reconsider so much of the Journal of Wednesday as relates to the action of the Senate on the bill for the relief of Benson Roberts, administrator of John N. Mangham, late of the county of Pike, deceased, and to authorize a settlement of said estate, which motion was agreed to.

Mr. THORNTON moved to reconsider so much of the Journal of Wednesday as relates to the action of the Senate on the bill to authorize suits to be brought against any Railroad or Express Company in this State, and against the Superintendent of the Western & Atlantic Railroad, in any county in which such Road or Express Company may have a place of business, and an officer or agent, which motion was agreed to.

Leave of absence was granted to the Senator from the 43d district, for a few days.

Mr. CASEY, from the Committee on Banks, made the following report:

Mr. President: The Committee on Banks, to whom was referred a bill to be entitled an act to incorporate the People's Saving Bank of Dalton, direct me to report that they have had the same under consideration, and recommend its adoption.

Also, a bill to be entitled an act to define and prescribe the liability of the stockholders of banks in this State, and for other purposes: which they also recommend do pass.

On motion, the rules were suspended, and the Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to authorize and require the Treasurer of this State to make certain advances, and for other purposes.

Mr. REDDING reported the following as an additional section, which was agreed to, to-wit:

"SEC. 2d. *And be it further enacted,* That the Treasurer be authorized and required to advance the sum of five thousand dollars to J. W. Burke, State Printer, upon the warrant of his Excellency, the Governor."

Mr. STROZIER moved to amend the first section by adding the words, "Assistant Secretary of the Senate, Assistant

Clerk of House, and the Enrolling and Engrossing Clerks," which was agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and the Secretary was directed to transmit the same forthwith to the House of Representatives.

Leave of absence was granted to the Senator from the 36th District for a few days.

The following message was received from his Excellency, the Governor, by Mr. Hunter, his Secretary, to-wit:

Mr. President: I am directed by the Governor to deliver to the Senate a communication in writing, with accompanying documents.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills:

A bill to authorize the City Council of Thomasville to issue bonds to the amount of one hundred thousand dollars, for the purpose of taking stock in the South Georgia and Florida Railroad, and for other purposes.

A bill to alter and amend paragraphs 204 and 206 of the Revised Code.

They have also passed the following bills of the Senate:

A bill to amend the charter of the city of Albany.

A bill to extend the time of settlement by Tax Collectors with the Comptroller and Treasurer, and for other purposes.

A bill to repeal an act entitled an act to regulate the sale of spirituous liquors in the county of Stewart, approved December 19th, 1859.

A bill to repeal an act approved on the 4th day of March, 1856, to compensate the grand and petit jurors in the county of Tattnall.

Also, to repeal an act approved on the 4th day of March, 1856, to authorize the Inferior Court of Tattnall county to assess an additional tax for the purpose of paying the grand and petit jurors of said county.

A bill to be entitled an act to repeal section 940 of the Code of Georgia, and to substitute a section in lieu thereof.

A bill to be entitled an act to amend an act, entitled an act to amend an act to incorporate the Central Railroad and Canal Company of Georgia, to alter and change the name of said company and to give to said company banking powers and privileges.

A bill to be entitled an act to amend an act incorporating

the town of Elberton, approved 19th February, 1866, by giving additional powers to the Town Council of said town.

The House has also adopted a resolution tendering the thanks of the General Assembly to the Rev. E. W. Warren, for the very appropriate and impressive discourse delivered by him on Thursday, the 22d instant, which I have been instructed to transmit to the Senate without delay.

The Senate took up the special order of the day, which was the consideration of the report of the Committee of the Whole on the bill of the House of Representatives to extend the aid of the State to the completion of the Macon & Brunswick Railroad, and for other purposes.

Mr. OWENS moved to amend the first section by striking out of the fifth line the words, "For as many miles of said road as are now complete:" which motion was lost.

Mr. OWENS proposed further to amend the bill by striking out all from the word "before" in the eighth line of the first section, to the word "and" in the thirteenth line, and insert the following:

"Before any endorsement shall be placed on said bonds, the Governor shall be satisfied, by the affidavit of the President, that the said road has procured *bona fide* subscriptions for the capital stock of said company, to an amount sufficient to grade, bridge, and prepare for the iron rails the whole extent of the line proposed to be constructed by said company; and it shall be shown by said company to the Governor, that said subscriptions are good and solvent; and it shall be further shown that said company shall have graded, bridged, and shall have ready to put down the necessary timbers for the reception of the rails:" which motion was lost.

Mr. OWENS moved further to amend the second section by striking out all of said section to the word "seize," in the fifth line, and inserting the following, to-wit:

"The bonds so to be endorsed, with the coupons attached thereto, shall be made payable at the office of the Comptroller General, in Milledgeville; and it shall be the duty of the President and Directors of said road to cause to be deposited with the Comptroller General, ten days before it shall become due, the full amount of interest accruing upon all of said bonds, which shall have been so endorsed, as it shall fall due, or the principal of said bonds when the same are about to mature; and on failure so to do, it shall be the duty of the Comptroller General to notify the Governor of such default, who shall at once,"—and by adding at the close of said section the following words:

"If the said company shall refuse to deliver possession of the said road to the person or persons who shall be author-

ized by the Governor to receive it, it shall be his duty, upon information of such refusal, to issue his warrant, directed to all and singular the sheriffs of this State, commanding them to take possession of said road and its equipments, and deliver the same to the person or persons so appointed to receive them; which said warrants may be placed in the hands of the sheriff of any county through which the road shall pass, or of any other sheriff of this State, for execution; and the President and Directors of said road so refusing to surrender said road as aforesaid, shall be guilty of a high misdemeanor, and on conviction thereof shall be imprisoned in the Penitentiary for a term not less than four nor more than seven years, and be fined in a sum not less than two thousand nor more than five thousand dollars."

On motion, the amendment was disagreed to.

Mr. OWENS moved further to amend, by adding the following as an additional section, to-wit:

"SEC. 3. *Be it further enacted*, That the bonds so endorsed shall not be sold by said company at a greater discount than ten per cent.; nor shall the bonds themselves, nor the proceeds thereof be used by said company for any other purpose than for procuring the iron rails, chairs and spikes for said road; and the Governor shall not endorse the same, unless upon the affidavit of the President, and a resolution of a majority of the Board of Directors for the time being, that they shall not be used except for the purpose aforesaid; and the Governor shall have power to appoint a commissioner to act under oath, in conjunction with said President, in negotiating said bonds for the purposes aforesaid, and to act in any other matters pertaining to said company, where the interest of the State, in the opinion of the Governor, may require it; and the said President and Directors shall semi-annually file in the office of the Comptroller General, under oath, full and specific returns of the operations of said company and of its financial condition": whereupon the yeas and nays were required to be recorded, and are: Yeas 10, nays 24.

Those voting in the affirmative are Messrs.

Bell, W R.,	Johnson, J. A. W.,	Moore,
Butler,	Kenan,	Owens,
Casey,	Manson,	Redding,
		Strozier.

Those voting in the negative are Messrs.

Beall, O. P.	England,	Gresham,
Bedford,	Ezzard,	Johnson, J. F.,
Blount,	Freeman,	McDaniel,
Carter,	Fuller,	Parris,
Daley,	Griffin,	Patterson,

Russell,	Smith, O. L.,	Turner,
Simmons,	Strickland,	VanDuzer,
Smith, C. H.,	Thornton,	Wilcox.

Yeas 10; nays 24. So the motion to amend was lost.

Mr. OWENS reported the following as an additional section, which was disagreed to, to-wit:

"SEC. 4. That it shall not be lawful for the President or Directors, or any officer of said company, to engage in any speculation or dealing, either directly or indirectly, in any real estate, on or along the line, at any of the depot or depots stations, or at either terminus of said road, until after the road is completed; and, every officer of said company now in office, shall, before said bonds are so endorsed, take an oath, in writing, before any judge or justice of the peace, that he is not interested in any such speculation or dealing, and that he will not knowingly violate any of the provisions of this act; and any officer hereafter to be appointed, before entering upon the duties of his office, shall take and subscribe a similar oath. And if any officer shall knowingly swear falsely, he shall be guilty of perjury, and subject to all the pains and penalties thereof."

Mr. O. L. SMITH moved that the hour of adjournment be prolonged beyond the time fixed by the rules, which was agreed to.

Mr. BLOUNT moved the previous question, which being sustained, the main question was ordered to be put, which was the agreeing to the report of the Committee of the Whole.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and Mr. BUTLER reported the following resolution:

Resolved, That a committee be appointed, who shall enquire into the feasibility thereof, and devise some equitable plan, upon which the aid of the State may be wisely and safely rendered to such railroad enterprises as may deserve it, and report by bill or otherwise.

On motion, the Senate adjourned until to-morrow morning, at 10 o'clock.

SATURDAY, November 24, 1866.

THE SENATE met pursuant to adjournment, and was opened with prayer by the Rev. Mr. YARBROUGH.

On motion of Mr. REDDING, the following messages from his Excellency, the Governor, were severally taken up and read, as follows :

EXECUTIVE DEPARTMENT, }
MILLEDGEVILLE, November, 1866. }

To the General Assembly :

I transmit herewith the first annual report of the trustees of "The Georgia State Orphan Home." The establishment of such an Institution, with all the necessary appointments and sufficient provision for the wants of the beneficiaries, is not only a noble enterprise but one requiring in its inception very liberal appropriations.

It will be seen by the report that the Trustees have spared no pains to lay before the General Assembly, through their chairman, the Rev. Dr. Tucker, who has been untiring in his investigations, full information on many points to be considered in placing the Institution in operation. It is so full that I deem it unnecessary to do more than to commend it to the serious and favorable consideration of the General Assembly. Having received it, owing to unavoidable delays, at a very late period, and desiring to place it before you so soon as it could be copied, I have been unable to devote to it sufficient time to familiarize myself with its details.

I have been requested to call your attention to the fact that whilst by the 8th section of the act, approved 17th March, 1866, the Trustees were required to apportion the benefits of the Home among the orphan children of the several counties, the rule of apportionment is not very distinctly prescribed, nor is any adequate provision made for ascertaining the number entitled in each county. If there be found such defects in the act it is certainly desirable that they be at once remedied.

I deem it necessary to call the attention of the General Assembly to past legislation having in view the prevention of the spread of small pox, beginning with the act assented to December 13th, 1862. That act authorized and empowered the Justices of the Inferior Court of any county, and the corporate authorities of any town or city, wherein that disease should appear, to adopt quarantine regulations, to establish hospitals and provide medical attention, nursing and supplies to persons suffering from that disease, and to revise, audit and certify to the Governor all accounts and charges arising under the act, and required that they be paid out of the Treasury of the State.

The next act on the subject was assented to on the 17th

April, 1863, to the provisions of which I desire to call your attention. It has received very different constructions and many claims are presented, which must be pronounced valid or invalid, as one or the other construction shall prevail. It is entitled "An Act to provide for the payment of expenses incurred under an act to prevent the spread of small pox in this State, assented to December 11th, 1862, and to repeal said acts."

By the first section it is enacted, "That in any county where any claim or claims *may have arisen under said act*, that the party interested in said claim may file his petition in the Superior Court of said county as against the State, setting forth his claim and a bill of particulars, which claim shall be tried by a special jury upon proof." The remainder of the section applies to the mode of trial, and provides for payment by the Governor's warrant upon the Treasury.

The second section is in these words "that the said act, assented to December 11th, 1862, be, and the same shall no longer be of force, only for the purpose of settling the claims *that have arisen* under the same." I remark that the act thus proposed to be repealed is doubtless the one herein referred to, although in the repealing act the date of the Governor's assent is recited differently from that affixed in the printed copy of the acts of 1862.

One construction given to the act of April, 1863, is that it only changes the procedure by which the correctness of small pox accounts is to be ascertained without at all withdrawing the engagement of the State to pay out of its Treasury such accounts accruing after the passage of the act. By this construction the State is held liable for all claims originating between the passage of the act of 13th December, 1862, and the passage of the act of 5th February, 1866.

By the other construction the act of April, 1863, is held—First, to provide a new remedy for ascertaining the extent of the State's liability in cases arising between the 13th December, 1862, and the 17th April, 1863. Secondly, to annul in cases arising after the last named day the liability of the State, which would otherwise have resulted under the act of December, 1862. Thirdly, it is held that the act of April, 1863, contains no new declaration of liability or pledge of payment on the part of the State, and provides no remedy for any claims whatever, except those which had arisen prior to its passage under the act of December, 1862. Fourthly, that the second section of the act of April, 1863, although phrased differently from repealing clauses generally, does effectually repeal the act of December, 1862, except for the purpose of validating claims that had already arisen under it.

This construction limits the liability of the State to cases

that occurred between the passage of the act of December, 1862, and the passage of the act of April, 1863. The latter is, in my opinion, the correct construction, and by it I shall be governed, unless it be your pleasure to pass a declaratory act giving a different one. But, inasmuch as many claimants insist upon the former construction, I deemed it just to them to submit the matter to your consideration.

In regard to the effect of judgments obtained against the State on claims arising since the passage of the act, I offer this suggestion :

The Superior Courts would have had no jurisdiction of such cases but for the passage of the act of April, 1863, and they must take that jurisdiction with the limitations placed upon it by the act. If my construction of it be correct, their jurisdiction was limited to claims that originated between the 13th December, 1862, and the 17th April, 1863, the respective dates of the two acts. If they took cognizance of any case occurring after the last mentioned date, they acted entirely without jurisdiction. It would not be a case of jurisdiction properly assumed and afterwards exceeded, but of jurisdiction improperly assumed at first, and therefore void in its whole course. The proceeding, as far as authorized by the act, was a concession made by the State to the citizen, but no citizen not embraced within the terms of the concession can take any benefit from an attempt to avail himself of it.

Since your adjournment in March last, the following banking corporations have surrendered their charters and filed the deeds of surrender in this office, viz :

“The Planters’ Bank of the State of Georgia,” “The Bank of Savannah,” “The Planters’ and Merchants’ Bank,” “The Mechanics’ Saving and Loan Association,” “The Farmers’ and Mechanics Bank,” “The Bank of Commerce,” and “The Bank of the State of Georgia,” all of the city of Savannah.

CHARLES J. JENKINS.

EXECUTIVE DEPARTMENT, }
MILLEDGEVILLE, 23d Nov., 1866. }

To the Senate of Georgia :

In response to resolutions originating in your body, calling for information relative to the employment of convict labor, I lay before you communications from Major Campbell Wallace, Superintendent of the Western & Atlantic Railroad, and Colonel B. W. Frobel, Engineer. Believing that their opinions on the subjects embraced in your call would aid you more than my own, I referred the resolutions to them.

It occurs to me that any employment chosen for Peniten-

tiary convicts should be in its nature regular and continuous. The number of bridges and water tanks required for the Western & Atlantic Railroad, is definite, and once well constructed, in the absence of casualties, will last a great while, so that there would be long intervals of time when no work of the kind would be needed for that road. There can be little doubt, I apprehend, that freight cars might be well and profitably built in the Penitentiary, with proper machinery supplied. But the Western & Atlantic Railroad is supplied with such machinery, which is being advantageously used at Atlanta. If I mistake not, most of the best regulated and most prosperous railroad companies have found their interest promoted by manufacturing their own cars. As this is being now successfully done by the State Road, for its own use, I would deem it unwise to disturb it in that operation, and compel it to rely, for a supply, upon the Penitentiary.

I would suggest, for your consideration, that with facilities for making castings, a great variety of agricultural implements might be made profitably in the Penitentiary, and advantageously to the country.

CHARLES J. JENKINS.

On motion, fifty copies each of the foregoing Message from his Excellency, the Governor, together with the accompanying documents, were ordered to be printed for the use of the Senate; also, two hundred and fifty copies of the report of the Rev. H. H. Tucker, D. D., in behalf of the trustees of the Georgia Orphans' Home.

Mr. O. L. SMITH, from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President of the Senate, and Speaker of the House of Representatives, the following acts, to-wit :

An act to repeal an act entitled an act to regulate the sale of spirituous liquors in the county of Stewart, approved December 19th, 1859.

An act to amend an act incorporating the town of Elberton, approved 19th February, 1866, by giving additional powers to the town Council of said town.

An act to repeal section 940 of the Code of Georgia, and to substitute a section in lieu thereof.

An act to amend an act entitled an act to amend an act to incorporate the Central Railroad and Canal Company, of Georgia, to alter and change the name of said company, and to give to said company banking powers and privileges.

An act to amend the charter of the city of Albany.

An act to repeal an act approved on the 4th of March, 1856, to compensate the grand and petit jurors in the county of Tattnall; also, to repeal an act approved on the 4th of March, 1856, to authorize the Inferior Court of Tattnall

county to assess an additional tax for the purpose of paying the grand and petit jurors of said county.

An act to extend the time of settlement by tax collectors with the comptroller and treasurer, and for other purposes.

The following message was received from the House of Representatives, through Mr. WADDELL, the Clerk thereof:

Mr. President : The House of Representatives have passed the following bill, to-wit :

A bill to be entitled an act to incorporate the Hancock Iron Company, and to confer certain powers and privileges thereon.

They have also passed the following bill of the Senate, to-wit :

A bill to be entitled an act to authorize and require the Judge of the Superior Court to enter a certain case therein named, settled, upon certain conditions.

They have also concurred in the amendment of the Senate to the House bill to authorize and require the Treasurer of this State to make certain advances, and for other purposes.

They have also passed the following bill, to-wit :

A bill to be entitled an act to extend the aid of the State to the completion of the Air Line Railroad, and for other purposes.

On a call of the roll, the following bills were introduced and severally read the first time, to-wit :

By Mr. BUTLER—

A bill to authorize the Governor to issue new bonds of the State in lieu of the old bonds issued prior to the late war, and which matured during the war, and were re-invested in bonds of the State during that period.

By Mr. CASEY—

A bill for the relief of Justin L. Heath, of Burke county, and to make him capable of contracting and liable therefor.

By Mr. OWENS—

A bill to repeal the 12th paragraph of the 2d section of an act assented to the 3d March, 1866, imposing a specific tax on liquors sold in this State, and to substitute another in lieu thereof, and for other purposes, with a memorial accompanying the same.

Also, a bill to authorize the Central Railroad and Banking Company of Georgia, to change the line of its road track on certain conditions.

Also, a bill to require the creditors of any insolvent bank to present their claims within a limited time, and for other purposes.

By Mr. STROZIER—

A bill to incorporate the Albany & Atlantic Railroad Company.

Also, a bill to allow planters or farmers to ship over the Western & Atlantic Railroad, corn, bacon, and other provisions free of charge.

Also, a bill to change the times of holding the monthly sessions of the County Courts of certain counties therein named.

By Mr. C. H. SMITH—

A bill to remit the tax upon liquors for the first quarter of the year 1866.

Also, a memorial from the Rome Chamber of Commerce.

Mr. GIBSON submitted a memorial from Laur de Give, of Atlanta, on the subject of foreign emigration, which was read and referred to the Committee on the Judiciary.

Mr. DALEY submitted a memorial from James H. DeLoach, of Bulloch county, and Willis F. M. Edwards, of Bryan county, on the subject of establishing a turnpike upon the road leading from Jenks' Bridge on the Ogechee river, which was read and referred to the Committee on Internal Improvements.

The following message was received from his Excellency, the Governor, through Mr. Hunter, his Secretary, to-wit:

Mr. President: I am directed by the Governor to return to the Senate, in which it originated, a resolution "to furnish the counties of Fannin and Pickens, copies of the decisions of the Supreme Court, and other books," together with a communication in writing.

On motion the rules were suspended, and the Senate took up the resolution of the House of Representatives, returning the thanks of the General Assembly to the Rev. E. W. Warren, for the appropriate and impressive discourse delivered by him on Thursday the 22d instant.

On motion, the resolution was concurred in.

The rules being further suspended, the Senate took up and agreed to a resolution to furnish Baldwin county with certain books.

The Senate took up the report of the Committee of the Whole on the bill to define and prescribe the liability of the stockholders of banks in this State, and for other purposes.

The Committee on Banks, to whom this bill was referred, reported the same back to the Senate, with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and lost.

The Senate took up the report of the Committee of the Whole on the bill to amend the charter of the Planters' Convention of the State of Georgia, so far as to change the name thereof.

The report of the committee was agreed to, the bill was read the third time and passed.

Mr. J. F. JOHNSON, from the joint special committee, made the following report :

Mr. President: The joint committee to whom was referred, by resolution, so much of the Governor's message, addressed to the General Assembly on the 12th instant, as relates to the books, accounts, vouchers and Confederate Treasury notes returned to the Executive Department by Colonel Jared I. Whitaker, Commissary General of the State during the late war, with notice of certain articles of State property in his possession at Atlanta, and of a balance due said officer for office rent and other incidental expenses, begs leave to submit the following report :

The committee, in joint session, have examined the books and papers transmitted by Colonel Whitaker, the late Commissary General of the State, to the Executive Department, and, which they are gratified to state, constitute a complete and neat record of the business proper and the extra official duties imposed on that officer during his term of service, up to the close of the war, and since, by direction as well of Provisional Governor Johnson as of the Finance Committee raised by direction of the late State Convention. These books and papers containing valuable State statistical information, and being evidence of the aforesaid Commissary General of his department during the late war, the committee recommend that the same be deposited with the Secretary of State, with directions that they be preserved among the other State archives, for future reference ; deeming them important to that end, as furnishing valuable information in regard to the services of Georgia's noble sons in the late war, as of the bounty of the State to the widows and orphans of the gallant dead, as well as to thousands of those made indigent by the sad calamities. These books and papers are embraced in the following list, to-wit :

One warrant book containing copies of Executive warrants.

One account of commissary stores and Virginia salt.

One cash book, with proper vouchers.

One cash quarterly account current book.

Two books showing the purchases, issues and sales of commissary stores.

One book showing the receipts and issues of subsistence.

One book showing the sale of commissary salt to the Infe-

rior Courts in the early part of 1862, for the destitute of their counties.

One large book containing extracts of letters received.

Seven letter books containing copies of letters sent off.

The monthly and quarterly reports of the Commissary General and his assistant commissaries, with proper vouchers and certificates, and their original bonds and letters.

Also, the following records and papers, showing the receipts and issues of salt from the Virginia Salt Works to soldiers' families, from 31st July, 1862, to the close of the war, to-wit :

One cash book, with proper vouchers.

One cash quarterly account current book.

One book showing abstract of salt received and issued.

One book showing the distribution of salt to the Inferior Courts of the State, for soldiers' families and special issues.

Three large books, numbered 1, 2 and 3, containing a complete record of the names of soldiers' families, as furnished by the Courts, and to whom salt was issued.

The monthly and quarterly reports of the Commissary General and salt agents, the original letters and list of names of soldiers' families. With regard to the Confederate Treasury notes returned by Colonel Whitaker (as per his report to the Finance Committee) as balance due the State, and which they find to be correct, your committee recommend that the same be deposited with the State Treasurer, and that they be burned by that officer, as suggested in the message of his Excellency, the Governor.

The attention of the committee has also been directed to the accounts against the State for office rent and other incidental expenses held by Colonel Whitaker, and for services rendered by him since the war, and which have accrued by reason of directions given to him by the late Provisional Governor, and by the Finance Committee raised by direction of the late State Convention, and, conceiving them to be just, we recommend that they be examined and adopted by the Comptroller General of the State, and, when so adopted, that the Governor draw his warrant on the Treasurer for the amount, charging the same to the contingent fund.

With regard to the property of the State reported by Colonel Whitaker to be in his possession at Atlanta, your committee recommend that the Governor cause the same to be sold, and to deposit the net proceeds thereof in the State Treasury.

Before closing this report, your committee deem it but an act of justice to Colonel Jared I. Whitaker, the late State Commissary General, to express their high gratification at his testimony borne by the late Finance Committee to his official integrity and ability, and the faithfulness with which he

discharged the arduous and onerous duties imposed upon him by reason of his official position during the late war. It is this which entitles Colonel Whitaker, as the Governor in his message remarks "to have this whole business closed, and to a final acquittance and discharge." Your committee therefore recommend the adoption of the subjoined resolution.

J. F. JOHNSON,

Chairman Senate Committee.

THOMAS W. J. HILL,

Chairman House Committee.

Resolved by the General Assembly of the State of Georgia,
1st. That the thanks of the people of Georgia are due, and are hereby tendered to Colonel Jared I. Whitaker, late Commissary General of this State, for his eminent ability and faithfulness in the discharge of his official duties during the late war.

2d. That the books of the late Commissary General, together with the vouchers and accompanying papers, be deposited in the office of the Secretary of State, and that the Confederate Treasury notes returned by him as a balance due the State Treasurer, and be by him burned.

3d. *Resolved,* That the property of the State reported by Colonel Jared I. Whitaker to be in his possession at Atlanta, be sold under direction of his Excellency, the Governor, and the net proceeds thereof be paid into the State Treasury.

4th. *Resolved,* That the Comptroller General be required to examine the accounts of Colonel Whitaker for office rent and other incidental expenses which have accrued since the war, by direction of the Provisional Governor and the late State Financial Committee, and, upon finding them to be correct, that he audit the same, and that the Governor be required to draw his warrant on the Treasurer for the amount, charging the same to the contingent fund for the year of 1867.

On motion, the rules were suspended, and the foregoing resolution was taken up, read and agreed to.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Peoples' Savings Bank of Dalton.

The Committee on Banks, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time, and a constitutional majority being required for the passage of the same, the yeas and nays were required to be recorded, and are yeas 27 and nays 0.

Those voting in the affirmative are Messrs.

Beall, W. R.,

Blount,

Butler,

Carter,

Casey,

Daley,

England,

Ezzard,

Freeman,

Fuller,	Owens,	Smith, C. H.,
Gresham,	Parris,	Smith, O. L.,
Johnson, J. F.	Patterson,	Strickland,
Kenan,	Quillian,	Strozier,
McDaniel,	Redding,	Thornton,
Moore,	Russell,	VanDuzer.

Yeas 27 ; nays 0. So the bill was passed by a constitutional majority.

The Senate took up the report of the Committee of the Whole on the bill to require costs to be paid in advance, and to prescribe the amounts, etc.

The Judiciary Committee, to whom this bill had been referred, reported adversely to its passage.

The report of the committee was disagreed to.

Mr. McDANIEL moved to amend the first section by striking out all after the words "judgment thereon."

Mr. STROZIER moved to lay the bill and amendment on the table for the balance of the session, which motion was lost.

Mr. THORNTON moved to refer the same to a select committee of five, which was agreed to.

The committee appointed under the above consists of Messrs. Thornton, Strozier, VanDuzer, McDaniel and Strickland.

On motion of Mr. C. H. SMITH, the rules were suspended, and the memorial submitted from the Rome Chamber of Commerce was referred to the Committee on Internal Improvements.

The Senate took up the report of the Committee of the Whole on the bill to legalize the sale and conveyance of lands by Julia A. Burnsidess, administratrix on the estate of Thomas Burnsidess, late of Clayton county, deceased.

The Committee on the Judiciary to whom this bill was referred, reported the same back to the Senate with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to so far modify the laws against lotteries as to adopt a scheme to enable the Masonic fraternity to build a widow and orphans' home, and for other purposes.

On motion, the same was laid on the table for the present.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the stockholders of the Cartersville & Van Wert Railroad Company.

The Committee on Internal Improvements to whom this

bill was referred, propose to amend by striking out the 4th section, and with this amendment they recommend its passage.

On motion, the amendment were agreed to.

Mr. O. L. SMITH moved to amend by inserting after the words "Van Wert," wherever they occur, the words "or vicinity," which was agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

Mr. SMITH, Chairman of the Committee on Finance, submitted the following report :

Mr. President: The Committee on Finance have had under consideration a memorial respecting a steam engine now in possession of the Western & Atlantic Railroad, for which they offer the following resolution, to-wit :

A resolution authorizing the Superintendent of the Western & Atlantic Railroad to investigate and adjust the claim of H. D. Cothran, administrator of James Sproulls, to a certain portable engine, now in possession of the said road; which they recommend be adopted.

C. H. SMITH,

Chairman Finance Committee.

Leave of absence was granted to the Senator from the 21st District, for a few days.

On motion, the following message from his Excellency, the Governor, was taken up and read as follows :

EXECUTIVE DEPARTMENT,
MILLEDGEVILLE, GA., Nov. 24th, 1866.

To the Senate :

I return herewith unsigned, a resolution which originated in your body, directing that certain books be furnished for the use of the counties of Fannin and Pickens. I do this not because I disapprove the object, nor from any indisposition to supply the wants of those counties, but because my approval of the resolution would imply ability to execute it, which would be inconsistent with the facts of the case.

Knowing how greatly our stock of books had been reduced by the events of the late war, I called upon the Librarian for a report of the number of copies of the books called for by the resolution, now in his possession, after reserving one copy of each for the Library. His report is set forth in the accompanying schedule, from which it will appear that there are three volumes of the reports of the Supreme Court, of which there is no copy for supply, and seven of which only one copy could be furnished.

It will also be seen that the furnishing of five copies of

Hines' Forms to each of those counties, as proposed, would exhaust the supply of those books. Any direction of the General Assembly, which, according to the exhibit here made, can be complied with, will be cheerfully carried out; but as I am constrained to approve or disapprove the entire resolution, I find myself driven to the latter alternative. In this connection I would respectfully suggest the reprint of a certain number of the volumes of Supreme Court Reports, if it can be accomplished without violating copy right.

The other books embraced in the resolution having been originally produced by private enterprise, and the authors of the two, of which the supply is most nearly exhausted, being still in life, it may be presumed that they will issue another edition.

CHARLES J. JENKINS.

SUPREME COURT REPORTS.

1st volume.....	6 copies.	18th volume.....	4 copies.
2d “	1 copy.	19th “	3 “
3d “	13 copies.	20th “	1 copy.
4th “	5 “	21st “	7 copies.
5th “	1 copy.	22d “	0 “
6th “	3 copies.	23d “	0 “
7th “	3 “	24th “	1 copy.
8th “	4 “	25th “	7 copies.
9th “	4 “	26th “	7 “
10th “	1 copy.	27th “	13 “
11th “	0 “	28th “	8 “
12th “	1 “	29th “	17 “
13th “	3 copies.	30th “	16 “
14th “	2 “	31st “	3 “
15th “	6 “	Hines' Forms.....	10 “
16th “	1 copy.	Reese's Manual.....	24 “
17th “	5 copies.	Cobb's Statutes.....	250 “

On motion, the rules were suspended, and the following bills were introduced and read the first time, to-wit:

By Mr. KENAN—

A bill to punish insurrection or attempt at insurrection by the convicts of the Penitentiary and chain gang.

By Mr. GRESHAM—

A bill to repeal all laws forbidding aliens to hold and own lands in Georgia.

The Senate took up the report of the Committee of the Whole on the bill to exempt from taxation the capital stock of companies or persons engaged in the manufacture of cotton or wool.

The Finance Committee, to whom this bill was referred, reported the same back to the Senate, with the recommendation that it do not pass.

On motion, the bill was recommitted.

Mr. O. L. SMITH, Chairman of the Committee on Enrollment, reported as duly enrolled, signed by the Speaker and Clerk of the House of Representatives, and ready for the signature of the President and Secretary of the Senate, the following acts, to-wit :

An act to authorize and require the Treasurer of this State to make certain advances, and for other purposes.

Also, an act for the relief of Benjamin L. Cook, of the county of Quitman, and to save him from the pains and penalties of bigamy.

On motion, the Senate adjourned until Monday morning at 10 o'clock.

MONDAY, November 26th, 1866.

THE SENATE met pursuant to adjournment, and was opened by prayer from the Rev. LOVICK PIERCE, D. D.

Mr. KENAN moved to reconsider so much of the Journal of Saturday as relates to the action of the Senate on the resolution to furnish certain books to the county of Baldwin; which motion was agreed to.

Mr. CASEY moved to reconsider so much of the Journal of Saturday as relates to the action of the Senate on the bill to define and prescribe the liabilities of stockholders of banks, in this State; which was agreed to.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have adopted the following resolutions, to-wit :

A resolution in relation to Colonel Jared I. Whitaker, late Commissary General.

Also, a resolution for the relief of maimed indigent soldiers, both of which I have been instructed to transmit forthwith to the Senate.

They have also passed the following bills, to-wit :

A bill to be entitled an act to enforce the observance of the Lord's day.

A bill to be entitled an act to amend an act entitled an act to make uniform the laws of this State for the collection of

costs, and for other purposes, assented to 17th April, 1863, so far as it relates to the county of Lincoln.

Leave of absence was granted to the Senators from the 5th and 15th districts for a few days.

On motion, the rules were suspended, and the Senate took up the resolution of the House of Representatives, tendering the thanks of the people of Georgia to Colonel Jared I. Whitaker, late Commissary General, for the faithful discharge of his official duties, providing that his books, vouchers, papers, etc., be deposited in the Secretary of State's office, etc.

On motion, the resolution was concurred in.

The following message was received from his Excellency, the Governor, through Mr. Hunter, his Secretary, to-wit:

Mr. President: The Governor has approved and signed the following acts, to-wit:

An act to amend the charter of the city of Albany.

An act to repeal an act approved on the 4th day of March, 1856, to compensate the grand and petit jurors in the county of Tattnall; also, to repeal an act approved on the 4th day of March, 1856, to authorize the Inferior Court of Tattnall county to assess an additional tax for the purpose of paying the grand and petit jurors of said county.

An act to amend an act incorporating the town of Elberton, approved 19th February, 1866, by giving additional powers to the town council of said town.

An act to repeal section 940 of the Code of Georgia, and to substitute a section in lieu thereof.

An act to extend the time of settlement by tax collectors with the comptroller and treasurer, and for other purposes.

The Senate took up the special order of the day, which was the consideration of the report of the Committee of the Whole on the bill to declare certain persons competent witnesses as in the act set out, and for other purposes.

The Committee on the Judiciary, to whom this bill was referred, reported the same back to the Senate with the recommendation that it do pass.

Mr. STROZIER moved that the further consideration of the same be postponed until Wednesday next, which motion was agreed to.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have adopted the following resolution, which I have been instructed to transmit forthwith to the Senate, to-wit:

A resolution, the Senate concurring, to appoint a committee of three, two from the House and one from the Senate, to

examine certain district maps in the Surveyor General's office, and report upon the same; and they have appointed **MESSRS. MORRIS**, of Franklin, and **PEEBLES**, of Henry, upon the part of the House as that committee.

Mr. O. L. SMITH, from the Enrolling Committee, reported as duly enrolled, and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following act, to-wit:

An act to authorize and require the Judge of the Superior Court to enter a certain case therein named, settled upon certain conditions.

The Senate took up the special order of the day, which was the consideration of the report of the Committee of the Whole on the bill "To provide for education and establish a general system of Georgia schools."

On motion of **Mr. MOORE**, the bill was taken up by sections.

Mr. C. H. SMITH moved to amend the first section by striking out in the fourth line the words "fifteen hundred," and insert in lieu thereof the words "twenty-five hundred."

On motion of **Mr. MOORE**, the question was divided, and the Senate refused to strike out.

Mr. BUTLER moved to amend the third section by striking out the word "free," which was agreed to.

Mr. MOORE moved to amend the fourth section further by striking out all after the word "each" to the word "year" in the sixth line, and insert the following: "Not less than twenty-five white inhabitants beneficiaries of the school," which was agreed to.

Mr. MOORE moved further to amend, by striking out all after the word "commissioner" in the fifth line of the fifteenth section, and insert the words, "they shall be discharged," which was disagreed to.

Mr. CARTER moved to strike out the word "one" in the third line of the twenty-ninth section, and insert the word "two," which motion was lost.

Mr. STROZIER moved to strike out all before the words "per cent." in the second line of the same section, and insert the following:

"That the grand jury, at the first annual session of the Superior Court in each county of the State, shall recommend the levy of such a rate;" also, to insert after the word "county," in the fifth line, the words, "which tax the Inferior Court shall be required to levy."

Mr. CARTER moved to amend the amendment, by striking out all before the words "such a rate," and insert the words,

“the Inferior Court shall, at its first annual session in each county, levy,” which was agreed to.

The amendment, as amended, was agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The hour of adjournment having arrived, Mr. BLOUNT moved to prolong the session until 2 o'clock, P M., which motion was lost.

Leave of absence was granted to the Senators from the 35th and 22d districts for a few days; also to the Senator from the 21st district, on important business.

Leave of absence was granted to the Senator from the 29th District, from and after the 4th of December next, for the balance of the session.

Mr. EZZARD reported the following resolution, which was taken up and agreed to, to wit :

Resolved, That the Hon. George N. Lester be invited to a seat on the floor of the Senate during his stay in Milledgeville.

On motion, the Senate adjourned until 3 o'clock, P M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Mr. STROZIER, from the Special Committee to whom was referred the several bills relating to the County Court, submitted the following report, to wit :

Mr. President: The Special Committee, to whom the various bills relating to the County Court was referred, instruct me to report the same back to the Senate, and recommend the accompanying bill as a substitute for the several bills on that subject :

A BILL

To be entitled “An Act to alter and amend An Act approved March 17th, 1866, entitled An Act to organize a County Court, define its jurisdiction, and for other purposes.

SECTION 1. *The General Assembly of Georgia do enact*, That from and after the passage of this act there shall be two terms of the County Court, which shall be known as semi-annual sessions, which shall be held as now prescribed by law; and two additional terms, which shall be known as quarter sessions, which shall be held at times as near equidistant, between the semi-annual sessions as practicable—said time to be fixed by the County Judge, and advertised in one

of the public gazettes, or at the most public places in the County, as soon as possible after the passage of this Act. The said Court at its semi-annual sessions shall have the same jurisdiction as now prescribed in criminal cases, and in civil cases, where the amount involved is over fifty dollars.

The jurisdiction of the quarter sessions shall be confined to criminal cases, and in civil cases without limit as to amount, arising out of the relation of master and servant, whether suits for wages, applications to enforce performance, or for other purposes; also, applications for the eviction of trespassers, intruders and tenants holding over, for the partition of personal property, for the trials of possessory warrants, or proceedings under distress warrants and *habeas corpus* cases; the proceedings in such cases to be such as are provided in Section 24 of the Act of which this is amendatory. The Judge of said Court shall have power whenever he shall deem it necessary for the delivery of the Jail, or for the trial of the cases last specified, to call extra sessions; but there shall be no Jury trial in civil cases, unless demanded by one of the parties thereto, in which case the Judge shall cause a Jury of five to be immediately summoned to try the same. In all other cases the proceedings shall be the same in both semi-annual and quarter sessions, as now provided by law for the semi-annual sessions.

SEC. 2. The Judge of said Court shall draw Juries for both semi-annual and quarter sessions in the same manner as they are now drawn for the semi-annual sessions. The Juries so drawn shall serve for the term next after being drawn, and at any called sessions which may be held previous to the next term; but the Juries now drawn shall continue to serve as now required by law, until this law shall be carried into effect; and all civil cases now undisposed of in the monthly sessions, not embraced in the special cases referred to in the first Section of this Act, shall be transferred to the semi-annual sessions.

SEC. 3. *Be it further enacted*, That the following shall be substituted in lieu of Section 6 of the Act of which this is amendatory:

“That the County Judge, or his Clerk, shall keep a strict account of all fines and forfeitures; out of which he shall pay himself and the officers of said Court, *pro rata*, all costs which shall have accrued in said Court known as insolvent costs; the remainder, if any, after such payments, and all other monies, except his costs, which come to his hands as County Judge, or to his Clerk in his official character, he shall pay over to the County Treasurer, and report receipts and disbursements to the Grand Jury of the Superior Court. He shall also keep an index of all court contracts, and a list of all

certificates and discharges granted by him, which shall be subject to the inspection of any one interested therein, and he shall likewise provide a seal for the said County Court.

SEC. 4. The special bailiff of said court shall give bond, as now provided by law, for the faithful discharge of his duties, in the same manner as the Sheriff of the county. He shall have all the power in the execution of the duties of his office, as the Sheriff, and be subject to the same pains and penalties. All orders and processes shall be directed to him as well as the Sheriff, and he shall have the same power to sell property under executions or orders, issuing from said court, as the Sheriff now has.

SEC. 5. *And be it further enacted,* That the County Solicitor shall be the collecting officer for said County Court. He shall collect all fines, forfeitures and bonds, and pay over the same to the County Judge, who shall disburse them according to the provisions of this Act.

SEC. 6. The County Solicitor shall take his oath of office before the County Judge or the Justices of the Inferior Court.

SEC. 7. All parts of said Act, of which this is amendatory, having relation to monthly or special sessions of said Court except as herein provided, be, and the same are hereby repealed.

On motion of Mr. MOORE, the rules were suspended for the reading of bills the first and second time.

The following bills were severally read the second time and referred to the Committee on Internal Improvements, to wit :

A bill to incorporate the Albany and Atlantic Railroad Company.

A bill to allow planters and farmers to ship over the Western & Atlantic Railroad corn, bacon, and other provisions free of charge.

A bill to repeal the 12th paragraph of the 2d section of an act assented to the 3rd of March, 1866, imposing a specific tax on liquors sold in this State, and to substitute another in lieu thereof, and for other purposes.

A bill to authorize the Central Railroad & Banking Company of Georgia to change the line of its road track on certain conditions.

The following bills were severally read the second time, to wit :

A bill to remit the tax upon liquors for the first quarter of the year 1866.

A bill to change the times of holding the monthly sessions of the County Courts of certain counties therein named.

A bill for the relief of Justin S. Heath, of Burke county,

and to make him capable of contracting, and liable therefor.

A bill to punish insurrection by the convicts of the Penitentiary and chain gang.

A bill to change the place of holding legal sales in the county of Muscogee.

A bill to amend an act entitled an act to incorporate the town of White Plains in Green county, approved March 3rd, 1856.

A bill to exempt the county of Worth from the operation of Section 586, exempting road hands from being compelled to work on roads more than three miles from their residence.

A bill to amend an act to organize a County Court, define its jurisdiction, and for other purposes.

The following bill was read the second time and referred to the Committee on New County and County Lines, to wit :

A bill to add the lot of land on which Robert H. Gray resides, in the county of Screven, to the county of Burke.

The following bills were severally read the second time and referred to the Committee on the Judiciary, to wit :

A bill to amend paragraph 1401, chapter 9th, part 1st, title 15th, of the Code of Georgia.

A bill to amend section 1673 of the Code of Georgia.

A bill to amend the 2301st section of the Code of Georgia.

A bill to alter and amend sections 3866 and 3868, and repeal section 3869 of the Code.

A bill to extend the provisions of section 4220 of the Code to all cases in which the penalty of death is prescribed.

A bill for the relief of Martha A. Britt, of the county of Crawford.

A bill to require the creditors of any insolvent Bank to present their claims within a limited time, and for other purposes.

A bill to repeal all laws forbidding aliens to hold and own lands in Georgia.

A bill to allow County Solicitors of the County Courts fees in certain cases therein named.

A bill to alter and amend the second section of an act approved 17th day of March, 1866, entitled an act to define and regulate court contracts, and prescribe the manner of enforcing the same in the County Courts.

A bill to pay the Jury fees in the county of Worth to the Jury by the plaintiff or appellant, and to authorize the Inferior Court of said county to assess and collect an extra tax in said county to pay Juries, petit 75 cents—one dollar per day additional.

A bill to regulate the mode of advertising sheriff's and constables sales in this State.

A bill to alter and amend section 4476 of the Code, so as

to make the maiming of hogs and other domestic animals a misdemeanor.

A bill to amend the third paragraph of section 1980 of the Code of Georgia.

A bill to alter and amend section 45 of an act to organize a County Court, define its jurisdiction and for other purposes.

The following bills were read the second time and referred to the Finance Committee, to wit :

A bill to authorize the Governor to issue new bonds of the State in lieu of the old bonds issued prior to the late war, and which matured during the war and were re-invested in bonds of the State during that period.

A bill to authorize the redemption of a certain part of the bonds of the State of Georgia.

The following bills of the House of Representatives were severally read the first time, to-wit :

A bill to incorporate the Ocmulgee Loan and Savings Bank Association, and to confer upon the same certain powers and privileges therein specified.

A bill to incorporate the Mechanic Steam Power Company.

A bill to prescribe the mode of electing the mayor and members of council of the city of Atlanta.

A bill to incorporate the town of Sylvania, in the county of Screven, and to appoint commissioners for the same.

A bill to authorize the Justices of the Inferior Court of Decatur county to issue bonds for the payment of erecting a bridge over Flint river, within the limits of Bainbridge, or for the payment of stock in a corporate company for that purpose.

A bill to pay in money to each wounded disabled soldier the value of the artificial limb to which he may be entitled, under an act of the General Assembly, approved March 13th, 1866, under such provisions as are contained in this act.

A bill to incorporate the Chestatee Fluming and Mining Company.

A bill to incorporate the Hancock Iron Company, and to confer certain powers and privileges thereon.

A bill to protect sheriffs and other officers, and to regulate the levy of executions, and for other purposes.

A bill to prevent obstructions in the Ocklockonee river, so far as relates to the counties of Thomas and Colquitt, and for other purposes.

A bill to extend the aid of the State to the completion of the Air Line Railroad, and for other purposes.

A bill to enforce the observance of the Lord's day.

A bill to authorize the Empire State Iron and Coal Mining

Company to establish an office at Chattanooga or some other place out of the State.

A bill to allow defendants to be witnesses in certain cases therein mentioned.

A bill to appropriate a fund for the burial of the Confederate dead.

A bill to regulate continuances, and for other purposes.

A bill to authorize the city council of Thomasville to issue bonds to the amount of one hundred thousand dollars, for the purpose of taking stock in the South Georgia & Florida Railroad, and for other purposes.

A bill to amend an act entitled an act to make uniform the laws of this State for the collection of costs and other purposes, assented to 17th April, 1863, so far as it relates to the county of Lincoln.

A bill to legalize the acts of the Inferior Court of Echols county.

A bill to exempt persons actually engaged in attending to a grist mill from jury duty.

A bill to repeal an act to provide for the election of a superintendent of public roads and bridges in the counties of Wilkes, Muscogee and Lincoln, and such other counties as may adopt the provisions of this act, and to define his rights and duties, and to repeal all laws inconsistent with this act, so far as it is applicable to the counties of Lincoln and Wilkes.

A bill to authorize the Inferior Court of DeKalb county to increase the fees of jailor for said county.

A bill for the relief of Miley E. Tuck, former wife of Seaborn G. Tuck, of Walton county, Georgia.

A bill to enable owners of mills, mines and manufactories to draw water from branches, or other head-waters, through intervening lands.

A bill to legalize certain acts of the Fulton Loan and Building Association and the Stonewall Building and Loan Association.

A bill to alter and amend paragraph (204) two hundred and four and two hundred and six (206) of the Revised Code.

A bill to compensate grand and petit jurors of the Superior, Inferior and County Courts in the county of Decatur, in this State, and to authorize the levy of an extra tax for said purpose.

The following bill of the House of Representatives was read the second time, and referred to the Committee on Freedmen, to-wit:

A bill to prevent persons from interfering, so as to induce laborers or servants to abandon their contracts, or to employ

such without the consent of their original employer, before the expiration of their contract.

The following bills of the House of Representatives were severally read the second time, and referred to the Judiciary Committee, to-wit:

A bill to amend the 3253d section of the Code of Georgia.

A bill to amend the *certiorari* laws of this State.

A bill to alter and amend an act to alter and amend the Penal Code of Georgia.

The following bills of the House of Representatives were read the second time, and referred to the Committee on Internal Improvements, to-wit:

A bill to incorporate the Hawkinsville Manufacturing Company, of Pulaski county, Georgia.

A bill to approve the consolidation of certain railroad companies therein named, and to authorize the consolidated company to adopt a corporate name.

A bill to incorporate the Raccoon Coal Mining Company, and to extend the provisions of an act to incorporate the Wahatchee Mining Company, approved March 6th, 1866, to the same.

The following bills of the House of Representatives were read the second time, and referred to the Committee on New Counties and County Lines, to-wit:

A bill to repeal an act assented to December 11th, 1858, to change the lines between the counties of Dougherty and Worth, and re-establish said line between said counties.

A bill to change the county line between the counties of Appling and Coffee.

A bill to change the line between the counties of Wilcox and Pulaski.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills, to-wit:

A bill to be entitled an act to authorize the Empire State Iron and Coal Mining Company to establish an office at Chattanooga, or some other place out of the State.

A bill to be entitled an act to incorporate the Chestatee Fluming and Gold Mining Company, which I have been instructed to transmit forthwith to the Senate.

The following bills of the House of Representatives were read the second time, to-wit:

A bill for the relief of certain persons therein named.

A bill to amend an act entitled an act to incorporate the

town of Ellaville, in Schley county, approved November 23d, 1859.

A bill to amend the charter of Mount Vernon Institute, in Washington county

A bill to encourage sheep raising in this State.

A bill to authorize the Justices of the Inferior Court of Camden county to levy a special tax for county purposes, and to regulate the same.

A bill to authorize and require the Justices of the Inferior Courts of Decatur county to order the payment of the superintendents, clerks and those who consolidate the returns of elections of said county, for their services.

A bill to authorize an advance payment to be made to the State Printer of the present session of the Legislature.

On motion, the Senate adjourned until to-morrow morning at ten o'clock.

TUESDAY, November 27th, 1866.

The SENATE met pursuant to adjournment, and was opened by prayer from the Rev. Mr. Brooks.

Mr. CARTER moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill to provide for education and to establish a general system of Georgia schools; whereupon, the yeas and nays were required to be recorded, and are yeas 18; nays 12.

Those voting in the affirmative are Messrs.

Beall, O. P.,	Freeman,	Quillian,
Bell, W. R.	Gresham,	Redding,
Carter,	McDaniel,	Russell,
Daley,	Mims,	Simmons,
England,	Moore,	Strickland,
Ezzard,	Patterson,	VanDuzer.

Those voting in the negative are Messrs.

Blount,	Johnson, J. F.,	Smith, C. H.
Butler,	Kenan,	Smith, O. L.
Casey,	Owens,	Strozier,
Crawford,	Parris,	Thornton.

Yeas 18; nays 12. So the motion to reconsider prevailed.

The following message was received from the House of Representatives through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills:

A bill to amend the 3465th section of the Code of Georgia.

A bill to authorize administrators to perfect titles in certain cases.

A bill for the relief of Henry J. G. Williams.

A bill to amend section 2519 of the Code of Georgia.

A bill to alter and change the 4249th and 4250th paragraphs of the Code of Georgia.

A bill to amend an act entitled an act for the relief of maimed and indigent soldiers and officers, citizens of this State, who belonged to military organizations of this State in the State or Confederate States armies, approved the 12th March, 1866.

A bill to add fractional lots of land Nos. 224, 225 and 256, in the 13th District of originally Lee, to the county of Terrell.

A bill to reorganize the Fire Department of the city of Savannah.

A bill to incorporate the Pogue Shoals Manufacturing Company.

A bill to incorporate the town of Euharlee, in the county of Bartow, and to appoint commissioners for the same, and for other purposes.

A bill to provide a mode to furnish transportation to soldiers in traveling to and from their homes to the place or places designated as places to supply maimed soldiers with a leg or an arm.

Mr. MOORE, Chairman of the Committee on the Judiciary, made the following report:

Mr. President: The Committee on the Judiciary to whom was referred a bill to be entitled an act to provide a college for the benefit of agriculture and the mechanic arts, in the State of Georgia, under acts of Congress, approved respectively 2d July, 1862, and 14th April, 1864, have had the same under consideration, and recommend it be passed.

B. B. MOORE,

Chairman.

Mr. OWENS, from the Committee on Internal Improvements, made the following report:

Mr. President: The Committee on Internal Improvements have considered several bills submitted to them, and direct me to report as follows:

A bill to be entitled an act to incorporate the Hawkinsville Manufacturing Company, of Pulaski county, Georgia, which they propose to amend by adding at the close of the 1st section the words "the principal place of said business of said company shall be at Hawkinsville," and with this amendment, recommend its passage.

A bill to be entitled an act to extend the aid of the State to the Savannah, Griffin & North Alabama Railroad, and for other purposes; which they propose to amend as follows: to amend the 1st section by striking out the word "nine," in the seventh line, and inserting "ten;" and by inserting after the word "completed," in the ninth line, the words "fully equipped;" and by striking out the word "twenty," in the tenth line, and inserting "fifty;" and by inserting after the word "completed," in the thirteenth line, the words "fully equipped."

Also, to amend the second section, by inserting after the word "finished," in the fourth line, the words "fully equipped," and by adding at the close of said section the words "the said bonds so endorsed shall not be sold or disposed of at a less rate than ninety cents in the dollar;" and with these amendments they recommend its passage.

Also, a bill to be entitled an act to authorize the Central Railroad and Banking Company of Georgia to change the line of its road track, on certain conditions: which they recommend do pass.

Also, a bill to be entitled an act to allow planters or farmers to ship over the Western & Atlantic Railroad corn, bacon and other provisions, free of charge: which they recommend do not pass.

Also, a bill to be entitled an act to extend the aid of the State to the completion of the Macon & Brunswick Railroad, and for other purposes: which they direct me to report back, and ask to be relieved from its further consideration, a similar bill having already passed the Senate.

Respectfully submitted.

GEORGE S. OWENS,
Chairman.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills, which I am directed to transmit forthwith to this branch of the General Assembly.

A bill for the relief of Messrs. Seago, Palmer & Co.

A bill to explain the third section of an act entitled an act to prescribe and regulate the relation of parent and child among persons of color in this State, and for other purposes, approved 9th March, 1866, and to add an additional section thereto.

Mr. VANDUZER, from the special joint committee, to whom was referred the matter of examining a Digest of the Decisions of the Supreme Court presented by I. W. Avery, have performed the duty thus imposed, and found the work

an accurate digest, compiled with great care and fidelity, and in a manner creditable to its author. It comprises decisions from the 21st to 31st volumes inclusive. The plan and arrangement is good, and the book is one needed by and must be useful and valuable to all interested in the decisions, and to such we confidently recommend it.

All of which is respectfully submitted.

Leave of absence was granted to the Senator from the 25th district, for a few days.

On a call of the roll, the following bills were introduced and severally read the first time, to-wit:

By Mr. O. P. BEALL—

A bill to incorporate the Lewis Manufacturing and Mining Company.

Also, a bill to amend section 635 of the Code of Georgia.

By Mr. W. R. BELL—

A bill to authorize the owners of lands lying on Middle river, in the county of Banks, to remove obstructions from the same, and for other purposes.

Also, a bill for the relief of James H. Holland, of the county of Jackson.

Also, the following resolution to secure a prompt distribution of the Laws and Journals of the General Assembly.

Resolved by the Senate and House of Representatives of the State of Georgia. That the State Printer shall, immediately upon the completion of the work, forward by mail or express to each member of the General Assembly, the copies allowed them by law, and that such other persons or officers as are authorized to receive copies may, on application to the State Printer, receive said documents by mail or otherwise; and that, after distributing the copies aforesaid, the State Printer shall deliver to the State Librarian the remaining copies on hand, to be distributed in the usual way; that the State Printer shall be allowed his expenses for postage and freight in delivering said documents, and reasonable compensation for forwarding and delivering the Laws and the Journals.

By Mr. BUTLER—

A bill to remove the asylum for the indigent deaf and dumb citizens of this State, and to reorganize the same.

By Mr. CASEY—

A bill to change the time for holding the semi-annual sessions of the County Court of Columbia county.

By Mr. EZZARD—

A bill to amend section 980 of the Code of Georgia, by striking out the words "of which he is a resident," after the words "Congressional district," in said section.

By Mr. FREEMAN—

A bill to incorporate the Middle River Mining Company, to confer upon said company all the rights, privileges and immunities, and to impose all the restrictions and liabilities which are granted to and imposed upon the Little River Mining Company by act of incorporation, approved March 21st, 1866, so far as they are consistent with the provisions of this act, and for other purposes.

By Mr. GRESHAM—

A bill to define and fix the time when the late war between the United States and the Confederate States shall be considered as having terminated, and for other purposes.

Also, a bill to incorporate the Rutherford Mining Company of Georgia.

By Mr. OWENS—

A bill to amend an act entitled an act to establish a permanent board of education for the city of Savannah, and to incorporate the same.

By Mr. PARRIS—

A bill to authorize the confinement of convicts in the jails and prescribe the manner of determining the compensation of jailors therefor.

By Mr. STRICKLAND—

A bill to allow the ordinaries of this State to grant letters of administration, guardianship, and letters of dismissal and leave to sell land in certain cases, without publication of citation, as now required, and for other purposes.

By Mr. VANDUZER—

A bill to provide for the selection of a Judge in certain cases, etc.

Also, a bill to amend an act entitled an act for the relief of the people of Georgia, and to prevent the levy and sale of property under certain circumstances, and within a limited period, passed over the veto of the Governor by a vote of two-thirds, March 6th, 1866.

On motion, the rules were suspended, and the Senate took up the resolution of the House of Representatives relative to district maps in the Surveyor General's office.

On motion, the resolution was concurred in.

The committee appointed under the above consists of Mr. VanDuzer.

The rules being further suspended, the Senate took up the report of the committee of the Whole on the bill for the relief of Benson Roberts, administrator of John N. Mangham, late of the county of Pike, deceased, and to authorize a settlement of said estate.

On motion, the bill was laid on the table for the balance of the session.

The Senate took up the report of the Committee of the Whole on the bill to so far modify the laws against lotteries as to adopt a scheme to enable the Masonic fraternity to build a Widow and Orphan's Home, and for other purposes.

Pending the consideration of the same, on motion, the Senate adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY, November 28th, 1866.

The Senate met pursuant to adjournment, and was opened with prayer from the Rev. Mr. Brooks.

Leave of absence was granted to the Senator from the 33d district for a few days.

On motion, the rules were suspended, and the Senate took up the resolution of the House of Representatives, to secure a prompt distribution of the Laws and Journals of this State.

On motion, the resolution was concurred in, and the Secretary directed to transmit the same forthwith to the House of Representatives.

Mr. OWENS, from the Committee on Internal Improvements, submitted the following report:

Mr. President: The Committee on Internal Improvements have considered several bills submitted to them, and have directed me to report as follows:

A bill to be entitled an act to incorporate the Raccoon Coal Mining Company, and to extend the provisions of an act to incorporate the Wahatchee Mining Company, approved March 6th, 1866, to the same: which they recommend do pass.

Also, a bill to be entitled an act to incorporate the Albany & Atlantic Railroad Company, which they propose to amend, by inserting after the word "Chatham," in the fourth line of the first section, the words, "R. M. Gunby, of Muscogee, W. W. Slip, of Chattahoochee, Wm. Watt, of Stewart, O. P. Beall, of Randolph"; and by inserting after the word "same," in the seventh line of the second section, the words, "to the city of Columbus, in Muscogee county," and by striking out the word "to" in same line, and inserting "through": and with these amendments, recommend its passage.

GEO. S. OWENS, *Chairman.*

Mr. SMITH, Chairman of the Committee on Enrollment, reported as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following acts and resolutions, to-wit:

An act to extend the aid of the State to the completion of the Macon & Brunswick Railroad, and for other purposes.

A resolution that the thanks of the General Assembly are hereby tendered to the Rev. E. W. Warren for the very appropriate and impressive discourse delivered by him on Thursday, 22d inst.

Also, a resolution tendering the thanks of the people of Georgia to Colonel Jared I. Whitaker, late Commissary General, for the faithful discharge of his official duties, providing that his books, vouchers, papers, etc., be deposited in the Secretary of State's office, that the State's property yet in his possession be sold under the direction of the Governor, and requiring the Comptroller General to examine and audit his account for office rent and other expenses, if found correct.

The rules being further suspended, the Senate took up the resolution of the House of Representatives for the relief of soldiers maimed in the State or Confederate States service, and now resident in this State.

On motion, the resolution was concurred in, and the Secretary directed to transmit the same forthwith to the House of Representatives.

Mr. MOORE, Chairman of the Committee on the Judiciary, presented the following report:

Mr. President: I am directed by the Judiciary Committee to report back to the Senate sundry bills which were referred to their consideration, to-wit:

A bill to repeal an act entitled an act to amend the 3984th and 3985th sections of the Code of Georgia, and for other purposes: which they recommend do pass.

A bill to alter and amend section 4476 of the Code, so as to make the maiming of hogs and other domestic animals a misdemeanor: which they recommend do pass.

A bill to require the jury fees in the county of Worth to be paid to the jury by the plaintiff or appellant, and to authorize the Inferior Court of said county to assess and collect an extra tax to pay petit jurors seventy-five cents and grand jurors one dollar per day: which they recommend do pass.

A bill to alter and amend section 45 of an act to organize a County Court, define its jurisdiction, and for other purposes, which they propose to amend by striking from the first section the words, "it shall be the duty of the Justices of the

Inferior Court," and inserting in lieu thereof the following: "the Justices of the Inferior Court shall have power": and with this amendment, they recommend the passage of the bill.

A bill to allow Solicitors of the County Courts fees in certain cases therein named: which they recommend do not pass.

A bill to regulate the mode of advertising sheriffs' and constables' sales in this State, to which the committee propose to add another section, as follows: "And be it further enacted, That this act shall be in force till the first day of January, 1868, and no longer": and with this addition, they recommend its passage.

A bill to alter and amend the second section of an act approved March 17th, 1866, entitled an act to define and regulate court contracts, and prescribe the manner of enforcing the same in the County Courts: which they recommend do not pass.

A bill to repeal all laws forbidding aliens to hold and own lands in Georgia: which they recommend do pass.

A bill to amend paragraph 1401, chapter 9, part 1, title 15 of the Code of Georgia: which they recommend do pass.

A bill to require the creditors of any insolvent Bank to present their claims within a limited time, and for other purposes, which the committee propose to amend by striking from first and second sections the words "two years," wherever they occur in said sections, and inserting in lieu thereof, "one year": and with this amendment, they recommend its passage.

A bill to amend the 2301st section of the Code of Georgia: which they recommend do not pass.

A bill to amend the *certiorari* laws of this State: which they recommend do not pass.

A bill for the relief of Martha A. Britt, of the county of Crawford: which they recommend do pass.

A bill to extend the provisions of section 4220 of the Code, to all cases in which the penalty of death is prescribed: which they recommend do pass.

A bill to alter and amend sections 3866 and 3868, and to repeal section 3869 of the Code: which they recommend do pass.

A bill to alter and amend an act to alter and amend the Penal Code of Georgia, which the committee propose to amend by adding after the words, "Penal Code of Georgia," in the title and body of the bill, the following words, to-wit: "approved March 20th, 1866," so as to identify more clearly the act to be amended: and with this addition, they recommend its passage.

And a bill to amend section 1673 of the Code of Georgia; which they recommend do not pass.

B. B. MOORE, *Chairman*.

The following message was received from the House of Representatives, through Mr. WADDELL, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills:

A bill to change the time of holding the Superior Courts in the county of Macon, and to provide for the drawing of two panels of grand and petit jurors in said county.

A bill to amend the act incorporating the city of Americus, in the county of Sumter, and the several acts amendatory of said incorporating act.

They have also passed the following bills of the Senate.

A bill for the relief of Nancy A. E. Baldwin, of Stewart county, Georgia.

A bill to enable the Justices of the Inferior Court of the several counties in the State of Georgia, to raise a fund sufficient to build their court houses and jails, where they have been destroyed by the Federal army, or from other causes, and for levying an extra tax to meet the payment of the same.

A bill to incorporate the Lumpkin Porcelain Manufacturing Company.

They have passed the following bills of the Senate, with amendments thereto, in which they invite the concurrence of this branch of the General Assembly:

A bill to facilitate the sale of real estate in Georgia, and to encourage immigration thereto.

A bill to amend the law in regard to effecting service of bills in equity, to marshal the assets of estates of deceased persons.

A bill to incorporate the Savings Bank of Lumpkin, by a constitutional vote of ayes 100, noes 6.

They have adopted a substitute for the following bill of the Senate, in which they ask the concurrence of this branch of the General Assembly:

A bill in relation to juries.

The following bill of the Senate has been rejected by the House of Representatives:

A bill to amend section 3401 of the Code.

The Senate resumed the unfinished business of yesterday, which was the consideration of the report of the Committee of the Whole on the bill to so far modify the laws against lotteries as to adopt a scheme to enable the Masonic Fraternity to build a widows' and orphans' home.

On motion the bill was recommitted, and Mr. J. F. Johnson reported the following as a substitute, to-wit:

A bill to so far modify the laws against lotteries as to enable Wm. W. Boyd, Thomas W. Chandler and A. B. Reagan, of the city of Atlanta, State of Georgia, to adopt a scheme to raise money for the purpose of building a home for, and supporting indigent widows and orphans, the home to be called the Masonic Orphans' Home.

SECTION 1st. *The General Assembly of Georgia do enact,* That the persons aforesaid shall have the right and authority to establish in said city, a lottery or series of lotteries, and agencies, at such other places as they may deem expedient under such scheme, rules and regulations, as may be proper and expedient to raise money for the purchase of real estate, and erecting buildings thereon, in or near said city, suitable and proper for the purpose of building said home, and for supporting and maintaining indigent widows and orphans, and providing the means of proper education for them.

Also, they shall have the right and authority to buy, sell, lease and release real and personal estate, and receive such donations thereof as may be from time to time given for the purposes aforesaid, and generally do and perform such other and further proper acts as may be deemed necessary to carry out the intention and purposes of this act.

SEC. 2d. That the money received by said lottery after defraying all necessary expenses, shall be applied to the purposes aforesaid, and said persons shall make annual returns to the Governor of this State, of all moneys received, whether by proceeds of the lottery, gift or otherwise, all expenses paid by them, and all investments made, and interest derived therefrom. As also, the names and number of widows and orphans receiving the benefits aforesaid, with the name of the counties whence they came.

SEC. 3d. That the persons aforesaid, or any two of them, by themselves or together, with such other or others, as they may designate, may become in the manner prescribed by law, a body corporate, under such name and style as they may select, and in that case the rights and powers given by this act may be exercised by such body corporate, but shall be exercised for the purposes and under the restrictions and liabilities expressed in this act.

SEC. 4th. Should said persons or said body corporate fail to make returns as above required, unless good cause be shown for not so doing, to be determined by him, the Governor shall withdraw the rights and powers conferred by this act, and the property and assets acquired by virtue thereof, shall be turned over to the Georgia State Orphan Home, to be used

and disposed of as may be most advantageous to that institution.

SEC. 5th. Neither the property acquired nor powers exercised by virtue of this act, shall be liable to taxation.

SEC. 6th. All laws and parts of laws in conflict with this act are hereby repealed.

On motion of Mr. J. F. JOHNSON, the substitute was received in lieu of the original.

The report of the committee as amended was agreed to, the bill was read the third time, and upon the question: Shall this bill now pass? the yeas and nays were required to be recorded, and are yeas 16; nays 16.

Those voting in the affirmative are Messrs.

Beall, O. P.,	Freeman,	Parris,
Bedford,	Griffin,	Patterson,
Casey,	Johnson, J. F.	Simmons,
Crawford,	Mims,	Strickland,
Daley,	Moore,	VanDuzer.
Dickey,		

Those voting in the negative are Messrs.

Black,	Kenan,	Russell,
Blount,	Manson,	Smith, C. H.,
Butler,	McDaniel,	Smith, O. L.,
England,	Owens,	Strozier,
Ezzard,	Quillian,	Thornton.
Gresham,		

Yeas 16; nays 16. There being a tie the President voted yea, and the bill was passed.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have agreed to certain resolutions explanatory of the Act to extend the aid of the State to the completion of the Macon & Brunswick Railroad, passed the General Assembly at the present session, which I have been instructed to transmit forthwith to the Senate.

The Senate took up the special order of the day, which was the consideration of the report of the Committee of the Whole on the bill to declare certain persons competent witnesses, as in the act set out, and for other purposes.

The Committee on the Judiciary, to whom this bill was referred, reported the same back to the Senate, with the recommendation that it do pass.

On motion of Mr. BUTLER, the Senate went into Committee of the Whole on the foregoing bill, Mr. MOORE in the chair, and, after spending some time therein, the committee rose, and, through their chairman, reported the bill back to the

Senate, and recommended the passage of the same with the following proviso to the first section, to-wit :

“ Provided, that where one of the original parties to the contract or cause of action in issue and on trial is dead, or is shown to the court to be insane ; or when an executor or administrator is a party, the other party shall not be admitted to testify in his own favor.”

The report of the Committee of the Whole was agreed to, the bill was read the third time, and upon the question, “ Shall this bill now pass ?” the yeas and nays were required to be recorded, and are yeas 13, nays 17.

Those voting in the affirmative are Messrs.

Black,	Kenan,	Simmons,
Butler,	McDaniel,	Smith, C. H.,
Carter,	Owens,	Smith, O. L.
Casey,	Parris,	Thornton,
		VanDuzer.

Those voting in the negative are Messrs.

Bedford,	Griffin,	Patterson,
Blount,	Gresham,	Quillian,
Dickey,	Johnson, J. F.,	Russell,
England,	Manson,	Strickland,
Ezzard,	Mims,	Strozier.
Freeman,	Moore,	

Yeas 13 ; nays 17 So the bill was lost.

The following message was received from his Excellency, the Governor, through Mr. Hunter, his Secretary, to-wit :

Mr. President: I am directed by the Governor to return to the Senate, in which it originated, a bill entitled “An Act to repeal an Act entitled an Act to regulate the sale of spirituous liquors in the county of Stewart, approved December 19th, 1859,” accompanied by a communication in writing.

On motion, the Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

On motion, the rules were suspended, and the Senate took up the bill to facilitate the sale of real estate in Georgia, and to encourage immigration thereto, which the House of Representatives had passed, with the following amendment to come in between the words “ thereof ” and “ whenever,” in the fourth line from the bottom of the second page, to-wit :

“ But no obligations to make titles given to said parties shall be of any force or effect for a longer period than six

months, unless the valuation affixed to the property shall be tendered within the said term of six months from the date of such bond."

On motion, the amendment^{*} was concurred in.

The Senate took up the bill to incorporate the Savings Bank of Lumpkin, and concurred in the following amendment, proposed by the House of Representatives, to-wit :

"*Be it enacted*, That the stockholders shall be held and personally bound in their private capacities for the debts and liabilities of the said corporation, in proportion to the stock held by them, for the space of twelve months after the transfer of their stock, which transfer shall be notified by publication for thirty days in some public newspaper."

The Senate took up the bill to amend the law in regard to effecting service of bills in equity to marshal the assets of estates of deceased persons, to which the House of Representatives proposed the following amendments, to-wit :

To strike out all after the word "same" in the twentieth line of the first section, and insert "the clerk charging to the plaintiff such fees as the existing laws now authorize the clerk to charge; provided that this act shall not apply to defendants who reside out of the county where such bill may be filed," and adding thereto the following section, to-wit :

"*Be it enacted*, That it shall be lawful on application of any of the complainants for the clerk at any time to insert in such bill, subpoena and injunction, the name of any defendant residing in the county that may have been omitted; and service perfected in manner aforesaid shall be of the same effect and operate in the same manner as though such defendant's name had been inserted in the original bill."

On motion, the amendment was disagreed to.

The Senate took up the bill in relation to Juries, which was amended by the House of Representatives, by adopting the following substitute in lieu of the original bill, to-wit :

A bill to legalize the revision of the lists of Grand and petit jurors of the several counties of this State, and to extend the time for the same, and to legalize the drawing of jurors, and for other purposes :

Whereas, the Justices of the Inferior Courts in many counties in this State have revised the lists for grand and petit jurors, but did not do so within the time prescribed by the Code, and have made the boxes for grand and petit jurors and have drawn therefrom panels of grand and petit jurors, and in other respects have failed to comply with the requisitions of the Code, section 3822; for remedy whereof the General Assembly of Georgia do enact :

SECTION 1. That the acts of the Justices of the Inferior Courts of this State, heretofore done in the revising of the jury lists, in making up the boxes of grand and petit jurors, and in drawing grand and petit jurors therefrom, be and the same is hereby legalized and declared valid.

SEC. 2. *It is further enacted*, That the Justices of the Inferior Court of the several counties of this State shall have power, from time to time, to revise the lists of grand and petit jurors for their respective counties, in accordance with the regulations of the Code on that subject; and whenever grand and petit jurors shall not have been drawn at the time of such revision for the succeeding term of the Superior Courts of their counties, that they shall have the power to draw grand and petit jurors from the lists so made by them for said courts, at any time before the said next term; provided it be done in time to summons such jurors, according to the terms of the Code.

SEC. 3. That all acts and parts of acts militating against the provisions of this act, be, and the same are hereby repealed, and that this act take effect immediately after its passage.

On motion, the rules were suspended, and the Secretary was directed to transmit the action of the Senate on the foregoing bills forthwith to the House of Representatives.

Mr. O. L. SMITH, from the Committee on Enrollment, reported as duly enrolled, and ready for the signature of the President of the Senate and the Speaker of the House of Representatives, the following acts, to-wit:

An act for the relief of Nancy A. E. Baldwin, of Stewart county, Georgia.

An act to incorporate the Lumpkin Porcelain Manufacturing Company.

An act to enable the Justices of the Inferior Court of the several counties in the State of Georgia to raise a fund sufficient to build their court houses and jails, where they have been destroyed by the Federal army, or from other causes, and for levying an extra tax to meet the payment of the same.

On motion, the rules were suspended, and the following bills were introduced and read the first time, to-wit:

By Mr. GRIFFIN—

A bill to alter and change the county lines between the counties of Twiggs and Jones, so as to add the residence of James Baker to the county of Jones.

By Mr. OWENS—

A bill to declare the force and effect of a certain bond executed and delivered to the United States of America by the State of Georgia, as hereinafter set forth.

By Mr. CASEY—

A bill to amend the 877th section of the Code of Georgia, and to provide that under certain circumstances therein mentioned, the provisions of the Code of Georgia in reference to the issue of new State bonds in lieu of lost bonds, shall apply to stolen bonds.

The Senate took up the report of the Committee of the Whole on the bill to authorize the Central Railroad and Banking Company of Georgia to change the line of its road track, on certain conditions.

The Committee on Internal Improvements, to whom this bill was referred, reported in favor of its passage.

The report was agreed to, the bill was read the third time and passed.

Mr. SMITH, chairman of the Committee on Enrollment, reported as duly enrolled, signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following resolutions, to-wit:

Resolution relative to district maps in the Surveyor General's office.

Also, a resolution for the relief of soldiers maimed in the State or Confederate States service, and now resident in this State.

The Senate took up the report of the Committee of the Whole on the bill to punish insurrection, or attempt at insurrection, by the convicts of the Penitentiary and chain gang.

On motion, the same was referred to the Committee on the Judiciary.

The Senate took up the report of the Committee of the Whole on the bill to amend section 1673 of the Code.

The Judiciary Committee, to whom this bill had been referred, reported against the passage of the same.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the committee on the bill to alter and amend 4476th section of the Code, so as to make the maiming of hogs and other domestic animals a misdemeanor.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to except the county of Worth from the operation of section 586, exempting road hands from being

compelled to work on roads more than three miles from their residence.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend an act to organize a County Court, define its jurisdiction, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to extend the provisions of section 4220 of the Code to all cases in which the penalty of death is prescribed.

The Committee on the Judiciary, to whom this bill had been referred, reported in favor of its passage.

The report was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend paragraph 1401, chapter 9th, part 1st, title 15th of the Code of Georgia.

The Committee on the Judiciary, to whom this bill had been referred, reported in favor of the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend an act entitled an act to incorporate the town of White Plains, in Greene county, approved March 3d, 1856.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to add the lot of land in which Robert H. Gray resides, in the county of Screven, to the county of Burke.

The Committee on New Counties and County Lines, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bill, which I am directed to transmit forthwith to this branch of the General Assembly:

A bill to change the times of holding the Superior Courts of the county of Spalding, and for other purposes therein named.

They have also adopted the following joint resolution, which I am instructed to transmit forthwith to the Senate:

Resolution requesting the Governor to pardon R. W. Chaffin.

The Senate took up the report of the committee on the bill to amend the 2301st section of the Code of Georgia.

The Judiciary Committee, to whom this bill was referred, having reported adversely to its passage, the same was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill to allow County Solicitors of the County Courts fees in certain cases therein named.

The Committee on the Judiciary, to whom this bill had been referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill to alter and amend the second section of an act approved 17th day of March, 1866, entitled an act to define and regulate court contracts, and prescribe the manner of enforcing the same in the County Courts.

The Committee on the Judiciary, to whom this bill had been referred, reported adversely to the passage of the same.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill to repeal the act approved on the 17th of March, 1866, to organize a County Court and define its jurisdiction, and for other purposes.

The special committee reported a substitute for this bill, and on motion fifty copies were ordered to be printed for the use of the Senate, and the various bill relating to this subject, together with the substitute, were made the special order for Friday next.

The Senate took up the report of the Committee of the Whole on the bill to regulate the mode of advertising sheriffs' and constables' sales in this State.

The Committee on the Judiciary, to whom this bill had been referred, reported the same back to the Senate, with the recommendation that it do pass, with the following amendment, to-wit:

"Be it further enacted, That this act shall be in force until the first day of January, 1868, and no longer."

On motion, the amendment was agreed to.

The report of the committee, as amended, was agreed to.

On motion, the bill was recommitted, and Mr. O. L. SMITH moved the following as a proviso, to-wit:

“Provided, That nothing in this act shall apply to debts contracted since June 1st, 1865.”

On motion, the amendment was agreed to.

Mr. C. H. SMITH moved to amend further, by adding the following proviso, which was agreed to, to-wit:

“Provided, also, That this act shall not apply to defendants in execution or attachment, who are non-residents.”

The report of the committee, as amended, was agreed to, the bill was read the third time, and upon the question, “Shall this bill now pass?” the yeas and nays were required to be recorded, and are yeas 14, nays 13.

Those voting in the affirmative are Messrs.

Beall, O. P.,	Freeman,	Quillian,
Blount,	Griffin,	Russell,
Carter,	Johnson, J. F.,	Strozier,
Casey,	Parris,	VanDuzer.
Dickey,	Patterson,	

Those voting in the negative are Messrs.

Black,	Gresham,	Owens,
Butler,	Kenan,	Simmons,
England,	Manson,	Smith, C. H.,
Ezzard,	McDaniel,	Smith, O. L.
		Thornton.

Yeas 14 ; nays 13. So the bill was passed.

The Senate took up the report of the Committee of the Whole on the bill for the relief of Martha A. Britt, of the county of Crawford.

The Judiciary Committee, to whom this bill had been referred, reported favorably to its passage.

The report of the committee was agreed to, the bill was read the third time, and upon the question, “Shall this bill now pass?” the yeas and nays were required to be recorded, and are yeas 18, nays 9.

Those voting in the affirmative, are Messrs.

Beall, O. P.	England,	Patterson,
Black,	Freeman,	Quillian,
Blount,	Griffin,	Russell,
Butler,	Kenan,	Simmons,
Carter,	Manson,	Thornton,
Casey,	Parris,	VanDuzer.

Those voting in the negative are Messrs.

Dickey,	Johnson, J. F.	Smith, C. H.
Ezzard,	McDaniel,	Smith, O. L.
Gresham,	Owens,	Strozier.

Yeas 18 ; nays 9. So the bill was passed.

The Senate took up the report of the Committee of the

Whole on the bill for the relief of Justin L. Heath, of Burke county, and to make him capable of contracting, and liable therefor.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to change the place of holding legal sales in the county of Muscogee.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to pay the jury fees in the county of Worth, to the jury by the plaintiff or appellant, and to authorize the Inferior Court of said county to assess and collect an extra tax in said county to pay juries, petit 75 cents, \$1.00 per day additional.

The Committee on the Judiciary, to whom this bill was referred, reported the same back to the Senate, with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to alter and amend sections 3966 and 3968, and repeal section 3869 of the Code.

The Judiciary Committee, to whom this bill was referred, recommend the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to repeal all laws forbidding aliens to hold and own lands in Georgia.

The Judiciary Committee to whom this bill had been referred, reported the same back to the Senate, with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

Mr. J. F. JOHNSON moved that the Senate adjourn until Friday morning, at 10 o'clock ; which motion was lost.

On motion of Mr. O. L. SMITH, the Senate adjourned until to-morrow morning, at 10 o'clock.

THURSDAY, November 29th, 1866.

THE SENATE met pursuant to adjournment.

On motion of Mr. QUILLIAN, the Senate adjourned until to-morrow morning at 10 o'clock.

FRIDAY, November 30th, 1866.

THE SENATE met pursuant to adjournment, and was opened by prayer from the Rev. Mr. BUTLER, of the Senate.

Mr. GRESHAM moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill to so far modify the laws against lotteries as to adopt a scheme to enable the Masonic Fraternity to build a widows' and orphans' home.

Pending the discussion, Mr. MANSON called for the previous question, which was sustained, and the main question ordered to be put, whereupon the yeas and nays were required to be recorded, and are yeas 18, nays 19.

Those voting in the affirmative are Messrs.

Barwick,	Dickey,	Quillian,
Bell, W. R.,	Ezzard,	Russell,
Black,	Gresham,	Smith, C. H.
Blount,	Manson,	Smith, O. L.
Brown,	McDaniel,	Thornton,
Carter,	Owens,	Turner.

Those voting in the negative are Messrs.

Beall, O. P.	Freeman,	Parris,
Bedford,	Fuller,	Patterson,
Butler,	Johnson, J. F.	Simmons,
Casey,	Kenan,	Strickland,
Crawford,	Mims,	Strozier,
Daley,	Moore,	VanDuzer.
England,		

Yeas 18; nays 19. So the motion to reconsider was lost.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have adopted the following joint resolutions, in which they invite the concurrence of this branch of the General Assembly:

A resolution in relation to Wellborn's Pamphlet of Public Laws.

A resolution requesting the Governor to appoint a committee of physicians to inspect Dr. Bly's artificial limbs.

They have agreed to the following Senate resolution, with amendments thereto, in which they ask the concurrence of the Senate.

Resolution in reference to the appointment of a committee to examine and report upon a Revised Code, to be prepared by Samuel C. Elam.

The committee on the part of the House are Messrs. Pottle, Moses and Lawson.

They have passed the following bills :

A bill to legalize the acts of the Justices of the Inferior Court, of Pickens county, and State of Georgia, in a certain case.

A bill to alter and amend the 1578th and 1579th paragraphs of the Code of Georgia.

Mr. THORNTON moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill to declare certain persons competent witnesses, as in the act set out, and for other purposes ; which was agreed to.

Mr. O. L. SMITH, from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President of the Senate, and Speaker of the House of Representatives, the following act, to-wit :

An act to facilitate the sale of real estate in Georgia, and to encourage emigration thereto.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives, by a unanimous vote, have adopted the following resolution, in which they invite the concurrence of the Senate, and I am instructed to transmit the same forthwith to this branch of the General Assembly :

"The General Assembly would do injustice to the great heart of Georgia not to give some formal expression of their respect for the character, and sorrow for the condition of the illustrious prisoner of State, Jefferson Davis. All the generous pulsations of that heart are in full unison and sympathy with his sufferings and misfortunes. Its warm affections cluster round the fallen chief of a once dear but now abandoned cause. There they will cluster and centre, while men admire all that is chivalric in nature; while they regard all that is constant in purpose; while they love all that is noble in virtue: while they revere all that is sublime in faith, and respect unfailing greatness of soul.

"Therefore, the General Assembly of Georgia do resolve, That their sincerest condolence and warmest sympathy are tendered

to Mr. Jefferson Davis in his confinement, and they look forward with anxious solicitude to the day when a magnanimous and patriotic President shall put a term to his confinement, and by the interposition of Executive clemency, restore him to a people for whom he so faithfully struggled, and on account of whom he endures with christian fortitude the hardships of a long and rigorous imprisonment."

On motion, the rules were suspended, and the foregoing resolution of the House of Representatives was taken up, read and unanimously concurred in, and the Secretary was directed to transmit the same forthwith to the House of Representatives.

Mr. STROZIER, chairman of the Committee on Freedmen, submitted the following report:

Mr. President: The Committee on Freedmen have had under consideration a bill of the House of Representatives to prevent persons from interfering so as to induce laborers or servants to abandon their contracts, or to employ such without the consent of their original employer, before the expiration of their contracts, etc.: and they direct me to report the same back with a substitute, which they recommend do pass in lieu of the original bill.

Mr. C. H. SMITH, Chairman from the Committee on Finance, submitted the following report:

Mr. President: The Committee on Finance have had under consideration the following bills, to-wit:

A bill to be entitled an act to exempt from taxation the capital stock of companies or persons engaged in the manufacture of cotton or wool: which they recommend do not pass.

Also, a bill to be entitled an act to authorize the redemption of a certain part of the bonds of the State of Georgia: which they recommend do pass.

Also, a bill to be entitled an act to authorize the Governor to issue new bonds of the State in lieu of old bonds issued prior to the late war, and which matured during the war, and were reinvested in bonds of the State during that period: which they recommend do pass.

C. H. SMITH,

Chairman Finance Committee.

The following message was received from his Excellency, the Governor, through Mr. Hunter, his Secretary, to-wit:

Mr. President: The Governor has approved and signed the following acts, to-wit:

An act for the relief of Nancy A. E. Baldwin, of Stewart county.

An act to enable the Justices of the Inferior Court of the several counties in the State of Georgia to raise a fund suffi-

cient to build their court houses and jails, where they have been destroyed by the Federal army, or from other causes, and for levying an extra tax to meet the payment of the same.

An act to authorize and require the Judge of the Superior Court to enter a certain case therein named settled, upon certain conditions.

An act to incorporate the Lumpkin Porcelain Manufacturing Company.

On motion, the rules were suspended, and the following bills were introduced and read the first time, to-wit :

By Mr. O. P. BEALL—

A bill to incorporate the Chenubbee Manufacturing Company.

By Mr. GRESHAM—

A bill to alter and fix the time of holding the Superior Courts in the county of Houston.

Also, a bill to authorize the Inferior Court of Bibb county to issue their bonds for the purpose of raising funds to build a new court house and jail.

Also, a bill to incorporate the Savings Bank of Forsyth.

By Mr. BUTLER—

A bill to incorporate the Richmond County Agricultural Society, and to confer certain powers and immunities upon the same.

By Mr. BEDFORD—

A bill to incorporate the town of Tebeauville, in the county of Ware, and to provide for the election of commissioners.

By Mr. KENAN, the following resolution, to-wit :

Whereas, The cupalo on the State House and the floor of the Hall of Representatives are reported to be in an unsafe condition, and need immediate repairs; and whereas, the basement rooms of the building, on account of dampness, are unfit repositories of the public documents stored in them; and whereas, the mastic is rapidly falling from the exterior of the building, exposing the structure to serious damage; therefore, be it

Resolved by the Senate and House of Representatives, That his Excellency, the Governor, be, and he is hereby authorized and required to have the above named repairs made as soon as practicable, together with such other repairs as may be deemed necessary and indispensable for the protection of the building, together with the valuable records deposited in it.

By Mr. OWENS—

A bill to amend the several acts in relation to the City Court of Savannah.

Also, a bill relative to Insurance Companies not chartered by the State Legislature.

By Mr. McDANIEL—The following resolution :

Resolved, That no new matter shall be introduced into this body after Saturday, December 1st, 1866, unless by a two-thirds vote.

By Mr. SIMMONS—

A bill to authorize the Inferior Court of Crawford county to levy and collect an extra tax to pay the indebtedness of said county.

Also, a bill defining in what newspapers the Ordinaries, Clerks and Sheriffs of the several counties of this State shall advertize.

By Mr. STROZIER—

A bill to amend section 3401 of the Code, by inserting certain words therein.

Also, a bill to increase the jail fees in the county of Dougherty in certain cases.

Also, a bill to declare the force and effect of certain laws, and to declare the duty of sheriffs and other ministerial officers under certain circumstances, and to relieve them from liability in such cases.

By Mr. TURNER—

A bill to change the time of holding the Superior Courts in the counties of Floyd, Polk, Paulding and Campbell, of the Tallapoosa Circuit.

By Mr. STRICKLAND—

A petition from the citizens of Polk county in reference to the County Court : which was referred to the Committee on County Courts without being read.

Mr. C. H. SMITH reported the following resolution :

Resolved by the General Assembly, That a work on Parliamentary Law and Rules of Order, in course of preparation by John B. Weems, Esq., to be styled "The Legislative Guide," be submitted for examination and inspection to a committee consisting of Hon. Howell Cobb, Thomas Hardeman, Jr., and Alexander H. Stephens, and in the event said committee shall report favorably upon the same to his Excellency, the Governor, that the Governor be authorized and required to subscribe for 1000 copies of the same for the use of the State.

The rules being further suspended, the following bills of the House of Representatives were severally read the second time and referred to the Committee on the Judiciary, to-wit :

A bill to incorporate the Chestatee Fluming and Mining Company.

A bill for the relief of certain persons therein named.

The following bill of the House of Representatives was read the second time and referred to the Committee on Internal Improvements, to-wit :

A bill to incorporate the Hancock Iron Company, and to confer certain powers and privileges thereon.

On motion, the rules were suspended, and the Senate took up the resolution of the House of Representatives requesting the Governor to pardon R. W. Chaffin.

On motion, the resolution was concurred in, and the Secretary was directed to transmit the same forthwith to the House of Representatives.

The Senate took up the special order of the day, which was the consideration of the substitute reported by the special committee, to whom the various bills looking to the abolition or modification of the County Courts had been referred.

On motion, the Senate went into Committee of the Whole on the foregoing bill, Mr. DALEY in the chair, and after spending some time therein, the Committee rose, and, through their chairman reported the bill back to the Senate, and recommended the passage of the same, with the following amendments, to-wit :

To strike out all after the words "to be" in the nineteenth line of the first section, down to the word "amendatory," in the twentieth line, and insert the words "in conformity to existing laws and section twenty-fourth of the act of which this is amendatory." Also, the following as an additional section :

SECTION 3. The defendant in criminal cases shall have the same right of challenge to the jury as practiced in the Superior Court in like cases.

Also, the following proviso to come in after the words "Superior Court," of the third section, to wit :

"Provided, that if the fines and forfeitures are not sufficient to pay said insolvent costs, the same shall be paid out of the county treasury, or such part thereof as may be inspected and approved by the grand jury of the county ; and provided further, that no insolvent costs shall be allowed for more than two witnesses to the same material points.

Also, the following to be inserted at the close of the third section, as originally reported, to-wit :

"And shall inspect, revise and pass upon all jail fees arising under his jurisdiction before the same are paid by the Inferior Court. The County Judge shall receive one dollar for each court contract which he may approve."

Pending the consideration of the foregoing amendments, on motion the Senate adjourned until 9½ o'clock to-morrow morning.

SATURDAY, December 1st, 1866.

The Senate met pursuant to adjournment, and was opened by prayer from the Rev. Dr. MANSON, of the Senate.

On motion, the rules were suspended, and the Senate took up the resolution of the House of Representatives in reference to Wellborn's Pamphlet and Public Laws.

Mr. STROZIER moved to amend the same by adding the following proviso, which was agreed to, to wit :

Provided that it be accompanied by a complete and intelligible index.

On motion, the resolution, as amended, was concurred in.

Mr. O. L. SMITH, from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following Acts, to-wit :

An Act to legalize the revisions of the lists of grand and petit jurors of the several counties of this State, and to extend the time for the same, and to legalize the drawing of jurors, and for other purposes.

The Senate resumed the unfinished business of yesterday, which was the consideration of the report of the Committee of the Whole on the substitute reported by the special committee to whom the various bills looking to the abolition or modification of the County Courts had been referred.

Mr. STROZIER moved to amend by striking out so much of the bill as provides for the calling of extra sessions by the court: which motion was lost.

Mr. VANDUZER reported the following as an additional section, to-wit :

"That the County Judge, at any time, may hear and determine the cases of all persons charged with crime, upon accusations drawn up by the County Solicitor, without a jury, provided the person or persons so accused shall, in open court, declare that he or she or they waive an indictment or presentment by a grand jury and arraignment and trial by a petit jury, which declaration shall be entered on the accusation, and also on the minutes of said County Court"; whereupon

the yeas and nays were required to be recorded, and are, yeas 23, nays 15.

Those voting in the affirmative are Messrs.

Barwick,	Daley,	Patterson,
Beall, O. P.	Dickey,	Quillian,
Bell, W. R.	England,	Simmons,
Black,	Ezzard,	Smith, C. H.
Blount,	Freeman,	Smith, O. L.
Bower,	Gresham,	Strickland,
Carter,	Johnson, J. F.	VanDuzer.
Casey,	Parris,	

Those voting in the negative are Messrs.

Brown,	Manson,	Redding,
Butler,	McDaniel,	Russell,
Crawford,	Mims,	Strozier,
Fuller,	Moore,	Thornton,
Kenan,	Owens,	Turner.

Yeas 23 ; nays 15. So the amendment was agreed to.

Mr. PARRIS moved to amend by adding the following as an additional section, which was agreed to, to-wit :

“Either party, in a civil case, may appeal from the judgment rendered at the quarter sessions in like manner as appeals are now allowed from the semi-annual sessions.”

Mr. DICKEY moved to amend further, by adding the following, which was disagreed to, to-wit :

“All orders and processes shall be directed to the sheriff of the county, and by him executed.”

The report of the committee, as amended, was agreed to, the bill was read the third time, and upon the question, “Shall this bill now pass?” the yeas and nays were required to be recorded, and are yeas 23, nays 14.

Those voting in the affirmative are Messrs.

Barwick,	Johnson, J. F	Simmons,
Bell, W. R.	McDaniel,	Smith, C. H.,
Black,	Mims,	Smith, O. L.
Brown,	Moore,	Strickland,
Butler,	Parris,	Thornton,
Carter,	Patterson,	Turner,
Casey,	Redding,	VanDuzer.
Gresham,	Russell,	

Those voting in the negative are Messrs.

Bedford,	Dickey,	Manson,
Blount,	England,	Owens,
Bower,	Ezzard,	Quillian,
Crawford,	Freeman,	Strozier.
Daley,	Fuller,	

Yeas 23; nays 14. So the bill was passed under the following title, to-wit:

A bill to alter and amend an act approved March 17th, 1866, entitled an act to organize a County Court, define its jurisdiction, and for other purposes.

Mr. OWENS, from the Committee on Internal Improvements, submitted the following report:

Mr. President: The Committee on Internal Improvements have considered several bills, and have directed me to report as follows:

A bill to be entitled an act to incorporate the Hancock Iron Company, and to confer certain powers and privileges thereon, which they propose to amend, by inserting after the word "use," in the twentieth line, the words "in the county of Burke," and by adding at the close of the first section the words, "the principal place of business shall be at Alexander, in Burke county, or at such other place as the directors may designate"; also, by striking out the seventh section, and inserting another in lieu thereof: and with these amendments they recommend its passage.

Also, a bill to be entitled an act to incorporate the Etowah Canal and Water Works Company: which they recommend do not pass.

Also, two bills, one from the House and one from the Senate, being "A bill to be entitled an act to approve the consolidation of certain railroad companies therein named, and to authorize the consolidated company to adopt a corporate name, for both of which they propose a substitute, which they recommend do pass.

GEO. S. OWENS, *Chairman*.

Mr. SMITH, Chairman of the Committee on Enrollment, reported as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following resolutions, to-wit:

A resolution requesting the Governor to pardon R. W. Chaffin.

Also, a resolution in reference to the illustrious State prisoner, Jefferson Davis.

On a call of the roll, the following bills were introduced and read the first time, to-wit:

By Mr. BLOUNT—

A bill to allow the transfer of licenses to retail spirituous liquors in the county of Stewart, and to repeal an act to regulate the sale of spirituous liquors in the county of Stewart, approved December 19th, 1859.

By Mr. J. F. JOHNSON—

A bill for the relief of James M. Bryant, of Fulton county.

Also, a bill to provide for the citizens of Twiggs county to settle the question of the removal of the county site from Marion, its present location, to Jeffersonville, in said county.

By Mr. MIMS—

A resolution that both branches of the General Assembly will adjourn *sine die* at 12 o'clock, M., on Saturday, December 8th, 1866.

By Mr. McDANIEL—

A bill to amend an act incorporating the Savannah, Griffin & North Alabama Railroad Company.

By Mr. MOORE—

A bill to prohibit executors, administrators and guardians from renting or leasing real property for a longer period than twelve months, without first obtaining an order from the Ordinary for that purpose.

By Mr. C. H. SMITH—

A bill to provide for the filling the office of Judge of the Superior Court in cases when, on the day fixed by the Constitution for said election, there is no majority vote cast.

Also, a bill to define the mode and manner of fixing the salaries of the superintendent, auditor and treasurer of the Western & Atlantic Railroad.

By Mr. THORNTON—

A bill for the relief of married women in this State.

Also, a bill to amend an act incorporating the Planters' Loan and Banking Association, approved March 27th, 1866.

By Mr. TURNER—

A bill for the relief of Mrs. Lizzie Glover, of the county of Campbell.

By Mr. VANDUZER—

A bill for the relief of administrators, executors, guardians and trustees, and of their estates.

Leave of absence was granted to the Senator from the 37th District, after to-day, for a few days.

Also, to the Senator from the 1st District, after the 8th instant.

Mr. TURNER moved that the rules be suspended, in order to take up House bills for a third reading, which motion was lost.

Mr. O. L. SMITH moved to suspend the rules in order to read bills of the House of Representatives the first time, which motion was lost.

On motion, the rules were suspended, and the Senate took up the resolution of the House of Representatives, explana-

tory of the act to extend the aid of the State to the completion of the Macon & Brunswick Railroad.

Mr. Gresham moved to amend the first resolution by adding the following :

“ And the endorsement of the State upon the bonds of the said company shall not exceed one million of dollars, until an amount of capital equal to the additional endorsement shall be bona fide subscribed and paid in to said company.”

On motion, the same was agreed to.

Mr. GRESHAM moved further to amend by inserting at the close of the last resolution the following :

“ And equally binding with said act.”

Also, to insert after the word “ apart,” in the fourth line of the second resolution, the word “ annually.”

On motion, the amendments were agreed to.

The resolution, as amended, was concurred in, and the Secretary was directed to transmit the same forthwith to the House of Representatives.

The following message was received from the House of Representatives through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have adopted a substitute in lieu of the following bill of the Senate, in which they invite the concurrence of this branch of the General Assembly:

A bill to alter and amend an act for the relief of the people of Georgia, and to prevent the levy and sale of property, and within a limited period, passed 8th of March, 1866.

The Senate took up the report of the Committee of the Whole on the bill to repeal an Act entitled an Act to amend the 3984th and 3985th sections of the Code of Georgia, and for other purposes.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Etowah Canal and Water Works Company.

The Committee on Internal Improvements, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill to approve the consolidation of certain railroad companies therein named, and to authorize the consolidated company to adopt a corporate name.

The Committee on Internal Improvements, to whom this bill had been referred, reported the same back to the Senate, and recommended the passage of the following substitute in lieu of the original bill, to-wit :

AN ACT

To be entitled an Act approving the consolidation of the "Dalton & Jacksonville Railroad Company" and the "Georgia & Alabama Railroad Company" of the State of Georgia, with the "Alabama & Tennessee River Railroad Company" of the State of Alabama, and to authorize the consolidated Company to adopt a corporate name and charter, and act under the same :

SEC. 1. *Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same,* That the consolidation of the "Dalton & Jacksonville Railroad Company" and the "Georgia & Alabama Railroad Company" of the State of Georgia, with the "Alabama & Tennessee River Railroad Company" of the State of Alabama, so as to form one consolidated Railroad Company for the construction and use of a railroad to be constructed from Blue Mountain, in the State of Alabama, as a continuation of the Alabama & Tennessee River Railroad, by way of Rome to Dalton, in the State of Georgia, be and the same is hereby ratified and approved; and the said consolidated company, acting by its Board of Directors, shall be, and it is hereby authorized and empowered to adopt the corporate name and style of the "Selma, Rome & Dalton Railroad Company," and to adopt as its charter the charter of the said "Alabama & Tennessee River Railroad Company," as now existing, with the amendments thereto, and under and by the said name and style and charter, so authorized, may, shall have, possess, enjoy and exercise all its lawful rights, functions, powers and privileges, and shall be subject to all lawful liabilities and responsibilities incurred or contracted, or to be incurred or contracted by said consolidated company: Provided always, that nothing in this Act shall be so construed as to release either of said companies from any obligation or liability incurred or contracted by them, or either of them, prior to their said consolidation.

SEC. 2. *Be it further enacted,* That all laws in conflict with this Act be and the same are hereby repealed.

The report of the committee was agreed to, the bill was read the third time and passed under the following title, to-wit :

A bill to be entitled an Act approving the consolidation of the "Dalton & Jacksonville Railroad Company" and the "Georgia & Alabama Railroad Company" of the State of

Georgia, with the "Alabama & Tennessee River Railroad Company" of the State of Alabama, and to authorize the consolidated company to adopt a corporate name and charter, and act under the same.

On motion of Mr. C. H. SMITH, the Secretary was instructed to transmit the same forthwith to the House of Representatives.

The Senate took up the report of the Committee of the on the bill to alter and amend section 45 of an act to organize a County Court, define its jurisdiction, and for other purposes.

The Judiciary Committee, to whom this bill was referred, propose to amend by striking out the words "it shall be the duty of the Justices of the Inferior Court," and insert the following, "the Justices of the Inferior Court shall have power," &c.: and with this amendment they recommend its passage.

On motion, the amendment was agreed to.

Mr. VANDUZER moved to amend by inserting after the word "power" the words "if they think it advisable," which was agreed to.

Mr. MCDANIEL moved to amend further by adding after the word "Judge," the words "and Solicitors;" which was agreed to.

The report of the committee as amended was agreed to, the bill was read the third time, and upon the question: Shall this bill now pass? the yeas and nays were required to be recorded, and are yeas 18, nays 20.

Those voting in the affirmative are Messrs.

Beall, O. P.	Kenan,	Simmons,
Brown,	McDaniel,	Smith, C. H.,
Casey,	Mims,	Smith, O. L.,
Crawford,	Moore,	Thornton,
Gresham,	Owens,	Turner,
Johnson, J. F.,	Redding,	VanDuzer.

Those voting in the negative are Messrs.

Barwick,	Dickey,	Patterson,
Bedford,	England,	Quillian,
Black,	Ezzard,	Russell,
Blount,	Freeman,	Strickland,
Bower,	Fuller,	Strozier,
Butler,	Manson,	Wilcox.
Carter,	Parris,	

Yeas 18; nays 20. So the bill was lost.

Mr. MOORE, from the Committee on the Judiciary, made the following report:

Mr. President: The Judiciary Committee to whom were

referred certain bills, have had the same under consideration and direct me to report on them, as follows :

A bill to amend section 3188 of the Code : which they recommend do not pass.

A bill amendatory of an act approved the 12th day of March, 1866, for the relief of executors, administrators, etc. : which they recommend do not pass.

A bill to repeal an act entitled an act to amend section 3320 of the Code, approved 21st day of February, 1866 : which they recommend do not pass.

A bill to extend to orphan children the benefit of dower or commutation of dower, in the same manner and to the same extent as their mothers would be if living : which they recommend do not pass.

A bill to amend the 3253d section of the Code of Georgia : which they recommend do pass.

A bill to incorporate the Chestatee Fluming and Mining Company : to which the committee offer the following amendments :

Amend caption by adding the words, "and for other purposes ;" 2d, strike out the word "perpetual," in first section ; 3d, strike out sixth section and insert in its place the following :

The said corporation shall have power to subdivide itself, and to establish such agencies as they may think proper for the transaction of their business, in any of the counties in which said mining operations are conducted, and shall be liable to be sued for any claims which may arise against it, as fully at the points where such agencies are established, as it would be at its principal place of business.

The committee recommend that the bill be passed with these amendments.

A bill for the relief of certain persons therein named, which the committee propose to amend by striking out the first section and inserting in lieu thereof, the following :

Be it therefore enacted by the General Assembly of Georgia, That said Robert T. Bridges, John Sansom and Joseph Glenn shall be relieved from all pains and penalties in consequence of said killing, and shall be discharged from further attendance upon said case, on obtaining the written consent of Wesley Rhodes, the prosecutor, and the recommendation of the Grand Jury of Catoosa county ; and on presenting such consent and recommendation, the Judge of the Superior Court of said county of Catoosa is required to enter on the minutes of said court, an order discharging them as aforesaid : and as thus amended, they recommend the passage of the bill.

The committee have also considered a preamble and resolutions in relation to debts and relief of the people ; and as

they have heretofore reported a bill on this subject, they return the preamble and resolutions to the Senate, and ask to be discharged from further consideration thereof.

Also, a memorial on the subject of foreign immigration, from the further consideration of which, for a similar reason, they ask to be discharged.

B. B. MOORE,
Chairman.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Albany & Atlantic Railroad Company.

On motion, the same was made the special order for Tuesday, December 4th.

On motion, the rules were suspended, and the Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Chestatee Fluming and Mining Company.

The Committee on the Judiciary, to whom this bill was referred, reported the same back to the Senate, and recommend that it do pass, with the following amendments, to-wit :

1st. To amend the caption thereof, by adding the words "and for other purposes;" also, to strike out the sixth section and insert in lieu thereof, the following, to-wit :

The said corporation shall have power to subdivide itself, and to establish such agencies as they may think proper for the transaction of their business, in any of the counties in which said mining operations are conducted, and shall be liable to be sued for any claims which may arise against it, as fully at the points where such agencies are established, as it would be at its principal place of business.

On motion, the amendments were agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and the Secretary was directed to transmit the same forthwith to the House of Representatives.

The Senate took up the report of the Committee of the Whole on the bill amendatory of an act approved the 12th day of March, 1866, for the relief of executors, administrators, etc.

The Committee on the Judiciary, to whom this bill had been referred, reported adversely to its passage.

On motion, the bill was laid on the table for the present.

The Senate took up the report of the Committee of the

Whole on the bill to extend to orphan children the benefits of dower or commutation of dower, in the same manner and to the same extent as their mothers would be, if living.

The Committee on the Judiciary, to whom this bill was referred, reported adversely to the passage of the same.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill to amend section 3188 of the Code.

The Committee on the Judiciary, to whom this bill was referred, reported the same back to the Senate, and recommend that it do not pass.

The report of the committee was agreed to, and the bill was lost.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have concurred in the amendment of the Senate to the following resolution, and I am directed to communicate the action of the House forthwith to this branch of the General Assembly:

A resolution supplemental to, and explanatory of the act to extend the aid of the State to the completion of the Macon and Brunswick Railroad.

The Senate took up the report of the Committee of the Whole on the bill to allow planters or farmers to ship over the Western & Atlantic Railroad corn, bacon and other provisions, free of charge.

The Committee on Internal Improvements, to whom this bill was referred, reported against its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill to repeal an act entitled an act to amend section 3320 of the Code.

The Judiciary Committee, to whom this bill was referred, having reported adversely to its passage, the same was agreed to, and the bill was lost.

Mr. BROWN, from the Committee on New Counties and County Lines, makes the following report:

Mr. President: The Committee have had under consideration the following bill, and recommend that it do pass:

A bill to be entitled an act to repeal an act, assented to December 11th, 1858, to change the lines between the counties of Dougherty and Worth, and re-establish said line between said counties.

On motion, the rules were suspended, and the Senate took

up the message from the House of Representatives in relation to the bill of the Senate to alter and amend an act for the relief of the people of Georgia, and to prevent the levy and sale of property within a limited period, passed March 8th, 1866, which the House of Representatives had passed by the adoption of the following substitute in lieu thereof, to-wit:

A BILL

To be entitled An Act for the relief of the people of Georgia, and to prevent the levy and sale of property, under certain circumstances.

SECTION 1. *Be it enacted*, That there shall be no levy or sale of property of defendants, in this State, under any execution founded on any judgment, order or decree of any Court, heretofore or hereafter to be rendered, upon any contract or liability made or incurred prior to the first of June, 1865, or in renewal thereof, though bearing a subsequent date, except in the following manner: For one-third of the principal and interest due on said execution, and no more, which may be levied on or after the first of January, 1868; one-third of the whole on or after the first of January, 1869; and the remaining one-third on or after the first of January, 1870, unless the defendant shall endorse on the execution a waiver of the benefits of this Act; *provided*, when a voluntary payment shall be made on any debt, judgment or execution, the amount so paid shall be deducted from the one-third authorized to be levied by this Act.

SEC. 2. That this Act shall not apply to executions for costs, nor to rules against officers for money, nor to any process against persons holding money or effects, as bailees; nor to executors, administrators or guardians, or other fiduciaries, to the extent which they may have converted the estate into cash, and failed to pay out the proceeds in due course of administration; nor to cases where plaintiff, his or her agent or attorney shall make oath that defendant resides beyond the limits of the State, or is about to remove from the State, or has absconded, is absconding, has removed or is removing his property, or fraudulently conveying, secreting or concealing the same, to avoid the payment of his just debts; nor to orders for alimony and fines, for neglect of road duty, or process issued by the Ordinary for the support of widows and orphans; nor to express companies; nor to railroad companies in cases where they are responsible by existing laws for goods lost or stock destroyed by said corporate companies; *provided*, that nothing in this act shall be so construed as to prohibit persons from carrying property or produce from one county to another for the purpose of sale; and provided further, that citizens changing their domicile from one county to another, in this State, shall not be prohibited from carrying their property

with them, when the same is not done to evade the payment of their just debts.

SEC. 3. That all statutes of limitation relating to liens affected by this Act, shall be suspended during the continuance of the Act.

SEC. 4. That any officer or other person violating this Act shall be guilty of trespass, and liable to the defendant or person injured, in damages not less than the amount of the judgment, order or decree upon which he is proceeding, as in other cases of trespass.

SEC. 5. That any security upon any debt or demand, for which execution may have been or may be issued during the continuance of this Act, shall have the right, with or without the consent of the plaintiff, to cause a levy and sale to be made, whenever the security shall make oath that the principal defendant has brought himself within the provisions of the second section of this Act.

SEC. 6. That whenever any plaintiff or security shall attempt to have an execution levied, for any of the causes stated in the second section, the defendant or other person claiming the property about to be levied on, may stay the said execution, by filing with the levying officer his affidavit, denying the existence of the said cause, and giving bond and security, in double the amount of the execution, conditioned to pay the plaintiff such damages as may, by a jury, be assessed, in case the issue hereinafter provided for should be found against him; and where the defendant or other person claiming the property levied on is unable to give security, he may make his affidavit of inability, as in cases of appeals, in section 3543 of the Code of Georgia.

SEC. 7. That the plaintiff, or defendant, as the case may be, may traverse the allegations in the affidavit of the opposite party, which traverse shall be returned to the next court, from which the execution may have issued; and the truth of the same shall be tried as in cases of illegality; and where the issue is found in favor of the plaintiff, the execution shall proceed for the whole amount due thereon, in the same manner as though no affidavit had been filed, as well for the original execution as for the damages, which may be assessed in favor of the plaintiff.

SEC. 8. That where property subject to an execution may be levied on, and the property levied on is claimed by any person other than the defendant in execution, such person may pay the one-third due on said execution, and it shall be the duty of the levying officer to endorse on said execution the name of the person paying the same, which endorsement shall operate as a transfer of the execution, to the person whose name is so endorsed, to the extent of the sum paid by him.

SEC. 9. Whenever the debtor and creditor shall agree to submit to arbitration, for equitable adjustment, the matter between them, and to submit to an award and judgment, as prescribed by the existing laws for arbitration in this State, and to submit to the arbitrators any and every matter which would render a compromise fair and equitable, the execution issued on the judgment founded on any award so made shall not be subject to the provisions of this act, but may be levied for the whole amount, as though this act did not exist.

SEC. 10. Repeals conflicting laws.

On motion, the bill and substitute were referred to the Judiciary Committee, and fifty copies of the substitute was ordered to be printed for the use of the Senate.

The Senate took up the report of the Committee of the Whole on the bill to remit the tax upon liquors for the first quarter of the year 1866.

The report of the committee was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives through Mr. Waddell, the Clerk thereof:

Mr. President: I am instructed by the House of Representatives to notify the Senate of their concurrence in the Senate amendments to the following bill of the House:

A bill to incorporate the Chestatee Fluming and Mining Company, and for other purposes.

Mr. SMITH, Chairman of the Committee on Enrollment, reported as duly enrolled, and ready for the signature of the Speaker of the House of Representatives and President of the Senate, the following resolution, to-wit:

A resolution supplemental to and explanatory of the act to extend the aid of the State to the completion of the Macon & Brunswick Railroad.

The Senate took up the report of the Committee of the Whole on the bill to require the creditors of any insolvent bank to present their claims within a limited time, and for other purposes.

The Committee on the Judiciary, to whom this bill had been referred, proposed to strike out the words "two years," and insert "one year" wherever it occurs, and with this amendment they recommend its passage.

Mr. GRESHAM moved to amend the amendment, by inserting after the word "year" the words, "from the passage of this act."

The amendment as amended was agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to authorize the redemption of a certain part of the bonds of the State of Georgia.

The Committee on Finance, to whom this bill was referred, recommend the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to change the times of holding the monthly sessions of the County Courts of certain counties therein named.

Mr. BOWER moved to amend by inserting after the word "Dougherty" the words, "and Miller," which was agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to exempt from taxation the capital stock of companies or persons engaged in the manufacture of cotton or wool.

The Committee on Finance, to whom this bill was referred, reported against the passage of the same.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill to authorize the Governor to issue new bonds of the State in lieu of old bonds issued prior to the late war, and which matured during the war, and were reinvested in bonds of the State during that period.

On motion, the same was referred to the Committee on the Judiciary.

Leave of absence was granted to the Senators from the 22d and 26th districts, for a few days.

On motion, the session was prolonged, and the following bills were severally read the second time and referred to the Committee on the Judiciary, to-wit :

A bill to allow the ordinaries of this State to grant letters of administration, guardianship, and letters of dismission and leave to sell land in certain cases, without publication of citation, as now required, and for other purposes.

A bill to amend the 635th section of the Code.

The following bills were severally read the second time, to wit :

A bill to define and fix the time when the late war between the United States and the Confederate States shall be considered as having terminated, and for other purposes.

A bill for the relief of James H. Holland, of Jackson.

A bill to remove the asylum for the indigent deaf and dumb citizens of this State, and to reorganize the same.

A bill to change the time for holding the semi-annual sessions of the County Court of Columbia county.

A bill to incorporate the Rutherford Mining Company of Georgia.

A bill to authorize the confinement of convicts in the jails and prescribe the manner of determining the compensation of jailors therefor.

A bill to amend section 3401 of the Code by inserting certain words therein.

A bill to authorize the Inferior Court of Bibb county to issue their bonds for the purpose of raising funds to build a new court house and jail.

The following bill was read the second time and referred to the Committee on Education, to-wit :

A bill to amend an act entitled an act to establish a permanent board of education for the city of Savannah, and to incorporate the same, and for other purposes.

The following bills were severally read the second time, and referred to the Committee on Internal Improvements, to-wit :

A bill to incorporate the Middle River Mining Company, to confer upon said company all the rights, powers, privileges and immunities, and to impose all the restrictions and liabilities which are granted to and imposed upon the Little River Mining Company by act of incorporation, approved March 21st, 1866.

A bill to incorporate the Lewis Manufacturing and Mining Company.

A bill to authorize the owners of lands lying on Middle river, in the county of Banks, to remove obstructions from the same, and for other purposes.

On motion, the rules were suspended, and Mr. BLOUNT reported the following resolution, which was read and agreed to, to-wit :

Resolved, That whereas the yeas and nays were not called on the passage of the bill by the Senate to incorporate the Savings Bank of Lumpkin, the Secretary be directed to endorse on the same, that it passed by an unanimous vote.

The following bills of the House of Representatives were severally read the first time, to-wit :

A bill to change the time of holding the Superior Courts of the county of Spalding, and for other purposes therein named.

A bill to reorganize the Fire Department of the city of Savannah.

A bill to amend the act incorporating the city of Americus in the county of Sumter, and the several acts amendatory of said incorporating act.

A bill to alter and amend the 1578th and 1579th paragraphs of the Code of Georgia.

A bill to amend section 2519 of the Code of Georgia.

A bill to legalize the acts of the Justices of the Inferior Court of Pickens county and State of Georgia, in a certain case.

A bill for the relief of Henry J. G. Williams.

A bill to authorize administrators to perfect titles in certain cases.

A bill to add fractional lots of land Nos. 224, 225 and 256, in the 13th District of originally Lee, to the county of Terrell.

A bill to incorporate the town of Euharlee, in the county of Bartow, and to appoint commissioners for the same, and for other purposes.

A bill to alter and change the 4249th and 4250th paragraphs of the Code of Georgia.

A bill to provide a mode to furnish transportation to soldiers in traveling to and from their homes to the place or places designated as places to supply maimed soldiers with a leg or an arm.

A bill to amend the 3465th section of the Code of Georgia.

A bill to incorporate the Pogue Shoals Manufacturing Company.

A bill to amend an act entitled an act for the relief of maimed and indigent soldiers and officers, citizens of this State, who belonged to military organizations of this State or Confederate States armies, approved the 12th March, 1866.

A bill to change the time of holding the Superior Courts in the county of Macon, and to provide for the drawing of two panels of grand and petit jurors in said county.

A bill for the relief of Messrs. Seago, Palmer & Co.

A bill to explain the third section of an act entitled an act to prescribe and regulate the relation of parent and child among persons of color in this State, and for other purposes, approved 9th March, 1866, and to add an additional section thereto.

On motion, the Senate adjourned until Monday morning at ten o'clock.

MONDAY, December 3d, 1866.

The SENATE met pursuant to adjournment, and was opened by prayer from the Rev. Mr. Brooks.

Mr. REDDING, from the Standing Committee on the Penitentiary, submitted the following

REPORT

That they have considered the various subjects connected with this institution, and referred to them by order of the Senate. They propose briefly to advert to some of them and present the conclusions they have arrived at.

The commissioners appointed by his Excellency, the Governor, to "examine and report upon the propriety of removing the present Penitentiary and locating it elsewhere, or of establishing an additional one," have made an elaborate report, taking a wide range upon the subject.

The first thing they discuss, is the practice of instructing convicts in the various mechanical trades. They say, "this practice has aroused a deep feeling with that portion of the people in every section of the country. In our own State we know that it exists to a very large extent, though it has not been manifested in any very marked demonstration."

Your committee beg leave to dissent from this sentiment, as expressed by the commissioners in their report. There is no class of men more worthy than the mechanic, none more needful in their handicraft pursuits, none who make better citizens or soldiers. If it be necessary (and your committee think it is) to encourage mechanics to emigrate to this State, in order to increase the number, to the end that workshops may be increased—if it be proper that lectures should be delivered, and essays written, to induce our people to put their sons to the mechanic arts, instead of the professions, in order that we, as a people, may be able to manufacture to the wants of our own people, and thereby live independent of foreign supplies—if it was proper that these efforts should be resorted to, in order to increase home facilities, and we think still, there is room, we do not perceive how it can be, that this class of men are likely to have ruinous competition by the few master workmen turned out of your Penitentiary. We commend his Excellency's remarks to the consideration of the Senate, upon that branch of the argument of commissioners in regard to equality and association.

We concur in sentiment with the commissioners upon the subject of separating and keeping separate, the black and white inmates in the prison. We recommend that all associations which may tend to equality, shall be strictly prohibited, and as far as may be, shall be kept separate, yet punished in the same way and to the same extent for like offences.

The subject of solitary confinement has been incidentally

alluded to, as proper for the more hardened and obdurate culprits. Your committee are not sure that solitary confinement belongs strictly to a Penitentiary system of punishment for crime. Solitary confinement has, in so many instances, proven to be destructive of the mental faculties, that to say the least of it, is very near akin, or equal to that punishment which destroys the vital functions.

We concur in sentiment with the views of the commissioners generally, but your committee regard as the *main question*, which they are to decide to be—*is it practical and advisable to remove the Penitentiary from its present location, or to build up another, or to continue both, the one for white and the other for black convicts*, at this peculiar time.

In view of the present monetary distress in the State—the fact that the present Penitentiary can receive, and safely keep 500 convicts—the comparatively small cost it will require to refit it, with proper workshops, tools, fixtures, and necessary machinery to put in active operation, not to say anything of the enlarged fields of employment shadowed forth by the brief but able report of the State Engineer, Colonel Frobel, to his Excellency, the Governor, made requisite by a resolution of the Legislature, to which your attention is particularly invited. Your committee, in view of these facts, and many others that could be adduced, recommend that a liberal appropriation be made, a part of which shall be prospective, and contingent to meet unforeseen exigencies. The present indebtedness is about \$15,000, all told; and it will require \$15,000 to refit the shops, tools, and machinery, necessary to active operations. This sum contemplates very little to be left for the purchase of raw material, clothing or subsistence. And your committee recommend the additional sum of \$10,000 to be appropriated contingently, upon which the Governor may draw his warrant whenever he shall think it proper and necessary for the maintenance of the object contemplated.

While your committee believe that the cost of keeping up and maintaining a Penitentiary can be met by its products, yet they believe that it is of infinitely more importance that reformation of the unfortunate inmates, irrespective of cost, shall be the great desideratum with the State; make him a useful and a better man, at least give him a fair chance to become so; give him such knowledge of some handicraft pursuit that he may earn an honest living; let us not pursue him vindictively after he has expiated his crime, but let us trust him, encourage him, until he proves himself unworthy our trust, and then denounce him in charity; for after all, he is not a whit worse than thousands that have never been convicted of crime, but who have been more cunning and had better luck!

The progress made, with the limited means afforded the Principal Keeper, is creditable to that officer. The neatness and cleanliness within the cells, yard, walls and grounds, give earnest that the health and comfort of the inmates is properly cared for; and the energy of that officer gives promise of a successful future.

Your committee have examined the books and papers of the Book Keeper, superficially, it is true, but they bear willing testimony to their neatness and business-like appearance, alike creditable to that officer, and satisfactory to ourselves.

Your committee recommend that hereafter the chain gang proper shall be employed by the counties where they are convicted, and that they shall not be sent to the Governor to be employed by him on works of internal improvement. It is believed that the county or counties who may combine for their employment, can make them useful in executing the public work incidental to county purposes.

If, when the State shall have recovered from her present embarrassed pecuniary condition, it shall be necessary to build another Penitentiary, in addition to the one here, or to remove the present one to a different location, we think it may then be done without pressure upon the resources of the people, and with advantage to the system; as by building another, the idea of separating the white and the black convicts may readily be done, and their pursuits be more diversified, by locating it on the Western & Atlantic Railroad, and thereby, as far as may be, make it subservient to the development of the mineral resources of the State.

The commissioners have fallen into error in the number of convicts proper, received into the Penitentiary during the past year. They say, "it appears from the report made to us by the officers of the Penitentiary, that on the 21st day of May, 1865, there were four convicts in the Penitentiary, and that on the 12th of September, 1866, the number had increased to 177

The Principal Keeper's Report, (and which we find is correct,) says there were

Male convicts in prison, Dec. 1st, 1865, whites.....	4
Female " " " " "	1
Received—males—up to Sept. 30th, 1866, whites.....	46
" " " " " blacks.....	46
" females " " " "	1
<hr/>	
Aggregate.....	98
Of this number, were discharged during the year.....	7
<hr/>	
Leaving in the prison, on the 30th Sept., 1866.....	91

Your committee cannot account for this error in the commissioners, except upon the presumption that they confounded the chain gang with the convicts proper, sentenced to the Penitentiary. There was of the chain gang, 114, on the 30th of September, 1866, who were confined in the Penitentiary for safe keeping, at night, and other times when not employed on the public work; but these are not convict proper, sentenced to the Penitentiary, and your committee think they should not be confounded with the convicts proper, for the reason that it affords a fictitious argument for enlarging, or building another prison, which does not exist in fact. Your committee respectfully submit the record as the best and most unbiased answer, to the charge made against the institution, to-wit: "*It is not efficient in the prevention of crime.*" To this end, they addressed a letter to the book keeper, requesting that officer to give the committee a transcript of the record, so far as it illustrated this subject, and received the following answer:

BOOK KEEPER'S OFFICE, }
 GEORGIA PENITENTIARY, Nov. 27th, 1866. }

COL. A. W REDDING,
Chairman &c.:

SIR:—In reply to yours, of the 26th instant, desiring information with regard to the "number of convicts received in this institution, from its establishment to the 30th September, 1866," I would state, that the whole number received within that time, say from the 10th of March, 1817, to the 30th September, 1866, are, exclusive of chain gang:

Prisoners—whole number received, first time.....	2,216
“ “ “ “ second time.....	32
“ “ “ “ third time.....	7

Very respectfully,
 A. M. NISBET,
 B. K. P.

(Signed,)

Your committee, without attempting to elaborate further upon this branch of the subject, respectfully, but earnestly, invite the attention of the Senate to this record.

All of which is respectfully submitted.

A. W REDDING, *Chairman.*
 WM. T. VANDUZER,
 F. L. WILCOX,
 O. P. BEALL,
 T. J. SIMMONS.

On motion, 50 copies of the foregoing report were ordered to be printed for the use of the Senate.

Mr. O. L. SMITH, from the Committee on Enrollment,

reported as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following Act, to-wit :

An Act to incorporate the Savings Bank of Lumpkin.

Mr. MOORE, Chairman of the Committee on the Judiciary, made the following report :

Mr. President: The Judiciary Committee, to whom were referred certain bills, have had them under consideration, and direct me to report thereon as follows :

A bill to allow ordinaries of this State to grant letters of administration, guardianship, and letters of dismission, and leave to sell land in certain cases without publication of citation, as now required, and for other purposes : which they recommend do pass.

Also, a bill to amend section 635 of the Code of Georgia : which they recommend do not pass.

Also, a bill to authorize the Governor to issue new bonds of the State in lieu of old bonds issued prior to the late war, and which matured during the war and were reinvested in bonds of the State during that period : which a majority of the committee recommend do not pass.

Also, a bill to punish insurrection, or attempt at insurrection, by the convicts of the Penitentiary or chain gang, which the committee propose to amend by striking from the twelfth and thirteenth lines of the first section the following words, to-wit : "the Penitentiary is located, or of the county in which"; and to amend further by adding to same section the following words: "or such other punishment as the Judge in his discretion may inflict."

And, with the adoption of these amendments, the committee recommend that the bill be passed.

B. B. MOORE,
Chairman.

The following message was received from the House of Representatives, through Mr. Estes, the Clerk, *pro tem.*, thereof :

Mr. President: I am directed by the House of Representatives to inform the Senate that, owing to the indisposition of the Clerk of the House, they have unanimously made choice of J. B. Estes, Esq., as their Clerk, *pro tem.*

On motion, the rules were suspended, and the following bills were introduced and read the first time, to-wit :

By Mr. BOWER—

A bill to authorize the Mayor and Aldermen of the city of Bainbridge to issue bonds of the city, and to invest the same, and to levy an extra tax for their redemption.

Also, a bill to incorporate the Southern Railroad Company.

By Mr. TURNER—

A bill to continue in force an act approved December 27th, 1847, entitled an act to incorporate the Atlanta & LaGrange Railroad Company.

By Mr. DICKEY—

A bill to allow disabled soldiers in the State to peddle without license.

By Mr. OWENS—

A bill to regulate the building and repairing of party and other walls and fences in the city of Savannah ; to declare the rights of lot owners in respect thereto, and to give to the City Council of Savannah authority to make rules and regulations in the premises.

By Mr. J. A. W JOHNSON—

A bill to incorporate the Allatoona Mining and Manufacturing Company.

Also, the following resolution, to-wit :

Whereas, During the late war farms along the line of the Western & Atlantic Railroad were entirely laid waste ; stock of all kinds taken by the armies ; all grain and subsistence taken ; leaving the whole people along said line in a deplorably destitute condition.

And whereas, the showers have been withheld, and the earth refused to yield her accustomed fruits, and, in consequence thereof, the distresses of those people are still unrelieved.

And whereas, said people, as a dernier resort, have corded a considerable quantity of wood and cross-ties on said road, with the hope of raising money therefrom to make a crop in 1867

And whereas, the Superintendent of said road alone, for the want of ready money, is only taking up said wood to supply present wants ; for remedy whereof it is

Resolved, by the General Assembly of the State of Georgia, That the Superintendent of said road is hereby required to issue change bills (in denominations not less than fifty cents, nor larger than three dollars,) to the amount of Two Hundred Thousand Dollars, to enable him to take up the wood and cross-ties now corded along said line. Be it further

Resolved, That said change bills be made redeemable by the Treasurer of said road three years after their date in the then currency of the country, and that, in the meantime, they be receivable by the road for fare and freight.

The Senate took up the report of the Committee of the Whole on the bill to punish insurrection, or attempt at insurrection, by the convicts of the Penitentiary and chain gang.

The Committee on the Judiciary, to whom this bill was referred, proposed to amend the same by striking from the twelfth and thirteenth lines of the first section, the following words: "the Penitentiary is located, or of the county in which"; also, to add to the same section the following words: "or such other punishment as the Judge, in his discretion, may inflict."

On motion, the amendments were agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Estes, the Clerk, *pro tem.*, thereof:

Mr. President: The House of Representatives have passed the following bills:

A bill for the relief of J. J. Anderson, an employee upon the Western & Atlantic Railroad in the year 1859.

A bill to change the time for holding the Superior Courts for the county of Richmond, and for other purposes.

They have also passed the following bill of the Senate, with amendments thereto, in which they invite the concurrence of this branch of the General Assembly:

A bill to amend the act incorporating the city of Bainbridge, in the county of Decatur, and the acts amendatory thereof.

The Senate took up the report of the Committee of the Whole on the bill to authorize the Governor to issue bonds of the State in lieu of old bonds issued prior to the late war, and which matured during the war, and were reinvested in bonds of the State during that period.

On motion, the same was made the special order for Friday, the 7th instant, and fifty copies of the bill were ordered to be printed for the use of the Senate.

The Senate took up the report of the Committee of the Whole on the bill to allow the ordinaries of this State to grant letters of administration, guardianship and letters of dismission and leave to sell land, in certain cases, without publication of citation as now required, and for other purposes.

The Judiciary Committee, to whom this bill was referred, reported the same back to the Senate with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the

Whole on the bill to amend section 635 of the Code of Georgia.

The Committee on the Judiciary, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the reconsidered bill to define and prescribe the liability of the stockholders of banks in this State, and for other purposes.

The report of the committee was agreed to.

On motion, the bill was recommitted, and Mr. BEDFORD reported the following amendment as a proviso, to-wit:

"Provided, The provisions of this bill be and the same are hereby extended to all private individual contracts made prior to June, 1865."

Mr. STROZIER moved to amend the amendment, by inserting after the word "contracts" the words, "founded on promissory notes," which motion was agreed to.

The amendment, as amended, was disagreed to.

The report of the committee was agreed to, the bill was read the third time, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are yeas 21, nays 12.

Those voting in the affirmative are Messrs.

Barwick,	Crawford,	Owens,
Beall, O. P.,	Dickey,	Parris,
Bedford,	Fuller,	Patterson,
Black,	Griffin,	Smith, C. H.,
Brown,	Johnson, J. F.	Smith, O. L.,
Butler,	Mims,	Thornton.
Casey,	Moore,	VanDuzer.

Those voting in the negative are Messrs.

Blount,	Johnson, J. A. W	Strickland,
Bower,	Kenan,	Strozier,
England,	Manson,	Turner.
Ezzard,	Russell,	Wilcox.

Yeas 21; nays 12. So the bill was passed.

Mr. SMITH, chairman of the Committee on Enrollment, reported as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following act, to-wit:

An act to incorporate the Chestatee Fluming and Mining Company.

Mr. OWENS, from the Committee on Internal Improvements, submitted the following report:

Mr. President: The Committee on Internal Improvements

have considered several bills submitted to them, and have directed me to report as follows :

A bill to be entitled an act to incorporate the Wilcoxon Manufacturing Company, which they propose to amend, by adding at close of first section the words, "the principal place of business of said corporation shall be at Newnan"; also, by striking out the seventh section, and all of the eighth section after the word "unpaid": and with these amendments, they recommend its passage.

Also, a bill to be entitled an act to authorize the owners of lands lying on Middle river, in the county of Banks, to remove obstructions from the same, and for other purposes: which they recommend do pass.

Also, a bill to be entitled an act to incorporate the Middle River Mining Company, to confer upon said company all the rights, powers, privileges and immunities, and to impose all the restrictions and liabilities which are granted to and imposed upon the Little River Mining Company by act of incorporation, approved 21st March, 1866: which they recommend do pass.

GEO. S. OWENS, *Chairman*.

On motion, the rules were suspended, and the following bills were introduced and read the first time, to-wit :

By Mr. BUTLER—

A bill to alter and amend the charter of the Madison Petroleum Company of Georgia, approved March 21st, 1866.

By Mr. TURNER—

A bill to continue in force and amend an act entitled an act to incorporate the town of Fairburn, in the counties of Campbell and Fayette.

By Mr. OWENS—

A bill declaratory of the force and effect of the stay laws of this State in reference to taxation by municipal corporations.

Leave of absence was granted to the Senator from the 9th district, after the 8th instant, for the balance of the session; also to the Senator from the 10th district, after Saturday next, for a few days.

The following message from his Excellency, the Governor, was taken up and read, as follows :

EXECUTIVE DEPARTMENT, }
MILLEDGEVILLE, 27th November, 1866. }

To the Senate :

I have before me a bill, which originated in the Senate, entitled "An act to repeal an act entitled 'An Act to regulate

the sale of spirituous liquors in the county of Stewart; approved December 19th, 1859."

The first section does distinctly repeal the act of 1859, and accomplishes fully the purpose expressed in the title. The second section goes beyond, and enacts that licenses to retail spirituous liquors in the county of Stewart shall be transferable. This is matter not expressed in the title. To repeal an existing law regulating the sale of spirituous liquors in the county of Stewart, is one thing; to make retail licenses transferable, is a very different thing. The effect of the repeal of the local act of 1859, as expressed in the title, would be to restore the operation of the general law in that locality. It is apparent, therefore, that the second section, which authorizes the transfer of retail licenses in the same locality, introduces matter not expressed in the title. The fifth clause of the fourth section, second article of the Constitution ordains that no law or ordinances shall pass which contains matter different from what is expressed in the title thereof. This may be considered a useless or immaterial provision, but I do not feel at liberty to disregard it on such a ground. I am, therefore, for this reason, constrained to return the bill without approval.

CHARLES J. JENKINS.

Mr. O. L. SMITH, from the Committee on Public Education and Free Schools, have considered a bill to be entitled an act to establish a permanent Board of Education for the city of Savannah, and to incorporate the same, and for other purposes, etc.: which they recommend do pass.

O. L. SMITH, *Chairman*.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Wilcoxon Manufacturing Company.

The Committee on Internal Improvements, to whom this bill was referred, proposed to amend the same by adding at the close of the first section the following: "the principal place of business of said corporation shall be at Newnan;" also, by striking out the seventh section and all of the eighth section after the word "unpaid," and with these amendments they recommend its passage.

On motion, the amendments were agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill for the relief of James H. Holland, of the county of Jackson.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the

Whole on the bill to alter and change the time for holding the semi-annual sessions of the County Court of Columbia county.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to authorize the owners of lands lying on Middle river, in the county of Banks, to remove obstructions from the same, and for other purposes.

The Committee on Internal Improvements, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend section 3401 of the Code, by inserting certain words therein.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Middle River Mining Company, to confer upon said company all the rights, powers, privileges and immunities, and to impose all the restrictions and liabilities which are granted to and imposed upon the Little River Mining Company by act of incorporation, approved 21st March, 1866.

The Committee on Internal improvements, to whom this bill had been referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend an act entitled an act to establish a permanent Board of Education for the city of Savannah, and to incorporate the same, and for other purposes, etc.

The Committee on Education, to whom this bill was referred, reported the same back to the Senate, with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to remove the asylum for the indigent deaf and dumb citizens of this State, and to reorganize the same.

On motion, the same was laid on the table for the balance of the session.

The Senate took up the report of the Committee of the Whole on the bill to authorize the confinement of convicts in the jails, and prescribe the manner of determining the compensation of jailors therefor.

On motion, the same was referred to the Committee on the Judiciary.

The Senate took up the report of the Committee of the Whole on the bill to define and fix the time when the late war between the United States and the Confederate States shall be considered as having terminated, and for other purposes.

On motion, the same was referred to the Committee on the Judiciary.

On motion, the rules were suspended, and Mr. OWENS introduced the following bill, which was read the first time, to-wit :

A bill to amend an act entitled an act to incorporate the Sweetwater Manufacturing Company, of the county of Campbell, and to incorporate the Augusta Quoit Club, approved December 21st, 1849.

On motion, the rules were further suspended, and the Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Hancock Iron Company, and to confer certain powers and privileges thereon.

The Committee on Internal Improvements, to whom this bill was referred, recommend the passage of the same with the following amendments, to-wit :

By inserting after the word "use," in the twentieth line of the first section, the words "in the county of Burke," and by adding at the close of the first section the words "the principal place of business shall be at Alexander, in Burke county, or at such other place as the directors shall designate;" also, by striking out the seventh section and inserting the following in lieu thereof, to-wit :

"SEC. 7th. That the provisional board of directors authorized to act by the first clause of the fifth section of this act, shall, so soon after the passage of this act as may be deemed expedient by them, call a meeting of the stockholders in said company, to be held at some convenient place, which meeting when assembled, shall proceed to elect a permanent board of directors, a majority of the stockholders voting being necessary to a choice."

On motion, the amendments were agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and the Secretary was directed to transmit the same forthwith to the House of Representatives.

The Senate took up the resolution relating to the repairing of the State House, and for other purposes.

On motion, the same was agreed to.

The Senate took up the resolution requiring the Governor to lay before the next General Assembly the number of acres of land undisposed of in the McIntosh Reserve; what amount reserved in the city of Atlanta, in the city of Columbus, in the city of Chattanooga, and lying in or near the city of Macon.

On motion, the resolution was agreed to.

Mr. VANDUZER, from the Joint Committee to examine certain maps in the office of the Secretary of State, made the following report :

The Joint Committee, raised by resolution of the House of Representatives for the purpose of examining certain District Maps in the Secretary of State's office, replaced under joint resolution of the last General Assembly, have discharged that duty and report—

That they have examined the maps thus replaced, and find that forty (40) new maps have been executed in a correct, neat and handsome manner, highly creditable to the office.

The maps replaced embrace the 4th district of Wilkinson ; 2d, 3d, 7th and 8th of Appling ; 3d, 4th, 5th, 6th, 18th, 19th and 20th of Baldwin ; 1st and 16th of Dooly ; 1st and 12th of Early ; 6th, 7th, 9th and 14th of Fayette ; 5th, 6th and 7th of Gwinnett ; 1st, 3d, 9th, 12th, 13th, 14th and 18th of Henry ; 11th and 12th of Hall ; 1st, 3d, 4th, 5th, 13th, 14th and 15th of Houston, and 13th of Irwin—being all that were missing ; which make up a work of much labor and care.

Your committee find that the Secretary of State's and Surveyor General's offices are situated in different ends of the Capitol, and the duties of both offices being now required to be discharged by the same person, much inconvenience would be obviated by the removal of the State Library into the office now used as the office of the Secretary of State, and allowing that officer the use of the present Library room, by which arrangement the offices of Surveyor General and Secretary of State would be contiguous, and the business of the two offices more easily attended to by one person.

The Library room and present office of the Secretary of State being of the same size, and shelved in the same manner, no inconvenience can result from the proposed change.

In connection with the duties with which your committee are charged, they take the liberty of stating, that many valuable papers in the office of Secretary of State were torn down by the United States troops while occupying this city, and now lie scattered over the office. Owing to the press of business in his office, the Secretary of State has had no leisure

in which to assort these papers and place them in their proper file.

The labors in the office of the Secretary of State have largely increased, in consequence of numerous inquiries after lands, owing perhaps to the fact that this species of property, since the abolition of slavery, make up the citizens' most valuable possession. Thus the labors of the Secretary of State, since the duties of the Surveyor General and Adjutant and Inspector General have devolved upon him; and the records and papers of the Commissary General, deposited in his office, requiring frequent reference, are at least equal to the labors of any other State House officer; and your committee are of opinion that justice to the incumbent, and a due regard to the public interest require that he should be allowed a clerk.

Your committee, therefore, recommend the adoption of the accompanying joint resolution.

WM. T. VANDUZER,
Chairman.

Whereas, since the consolidation of the office of Secretary of State, Surveyor General and Adjutant and Inspector General, and also the records and papers of the Commissary General have been placed in the hands of the Secretary of State, thus making the duties of the present incumbent very onerous. Therefore,

Be it Resolved, by the Senate and House of Representatives of the State of Georgia, That the Secretary of State be allowed a clerk in his office for the year 1867.

The Senate took up the resolution in reference to a work on Parliamentary law and rules of order, in course of preparation by John B. Weems, Esq.

On motion, the resolution was agreed to.

Leave of absence was granted to the Senator from the 33d District after to-day for the balance of the session, on account of ill health.

On motion, the rules were suspended, and the Senate took up the message of the House of Representatives on the bill to amend the act incorporating the city of Bainbridge, in the county of Decatur, and the acts amendatory thereof, to which the House of Representatives propose the following amendments, to-wit:

To insert after the word "embrace," in the first section, the words "any portion of," and also to add, after the words "Felix G. Arnett," the following, "used for farming purposes."

On motion, the amendments were concurred in.

The Senate took up the resolution reported by the Finance.

Committee, authorizing the Superintendent of the Western & Atlantic Railroad to investigate and adjust the claims of H. O. Cothran, Administrator of James Sprouls, deceased.

On motion, the resolution was agreed to.

Mr. REDDING moved that the session be prolonged until two o'clock, P. M., and that the Senate then adjourn until ten o'clock to-morrow morning, that necessary gas fixtures may be put up in the Senate Chamber; which motion was agreed to.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the sixteenth section of the act incorporating the town of Adairsville, in Bartow county, Georgia.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to repeal an act, assented to December 11th, 1858, to change the lines between the counties of Dougherty and Worth, and re-establish said line between said counties.

Mr. STROZIER moved the following as a substitute in lieu of the original, to-wit:

"That the residences of Jackson J. Williams, William Hall, jr., William Hall, sr., John W. Fowler and Henry G. Evarts, with all the lands appurtenant to said residences, be added to the county of Worth, they having petitioned for that purpose; and that the line between the counties of Dougherty and Worth be so changed as to include the above mentioned residences with lands appurtenant thereto, in the county of Worth."

Whereupon the yeas and nays were required to be recorded, and are yeas 24; nays 7

Those voting in the affirmative are Messrs.

Barwick,	Dickey,	Patterson,
Beall, O. P.,	Ezzard,	Redding,
Bedford,	Freeman,	Russell,
Black,	Griffin,	Smith, C. H.,
Blount,	Johnson, J. A. W.,	Strickland,
Bower,	Manson,	Strozier,
Butler,	Moore,	VanDuzer.
Crawford,	Owens,	Wilcox.

Those voting in the negative are Messrs.

Brown,	Johnson, J. F.,	Thornton,
England,	Parris,	Turner.
Fuller,	Smith, O. L.	

Yeas 24, nays 7. So the amendment was agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed under the following title, to-wit:

A bill to change the line between the counties of Worth and Dougherty, so as to include the residences and lands of certain persons in the county of Worth.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to encourage sheep raising in this State.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to authorize an advance payment to be made to the Public Printer of the present session of the Legislature.

On motion the same was laid on the table for the present.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to authorize and require the Justices of the Inferior Court of Decatur county to order the payment of the superintendents, clerks and those who consolidate the returns of elections of said county, for their services.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to regulate the pay of grand and petit jurors of the county of Meriwether, and to repeal conflicting laws.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to make valid contracts of apprenticeships made by citizens of Georgia with agents of the Freedmen's Bureau.

The Committee on the Judiciary, to whom this bill had been referred, reported favorably to the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to authorize the Justices of the Inferior Court of Camden county to levy a special tax for county purposes, and to regulate the same.

Mr. PATTERSON moved to amend by including the counties of Glynn and Effingham.

Mr. Strozier moved the following as a substitute for the amendment reported by Mr. Patterson, which was agreed to, to-wit:

"To strike out all that portion of the bill applicable to the county of Camden, and make the provisions general."

The amendment, as amended, was agreed to.

Mr. STROZIER moved to strike out the word "three," in the seventh line, and insert in lieu thereof the word "two," which motion was lost.

Mr. EZZARD moved further to amend by adding the following as a proviso, to-wit:

"Provided that said dogs are above the age of six months."

Which motion was lost.

On motion of Mr. BEDFORD, the action of the Senate, so far as relates to making the provisions of the bill general, and, by unanimous consent, reconsidered.

On motion of Mr. BEDFORD, the counties of Glynn and Gwinningham were included in the provisions of the bill.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed under the following title, to-wit:

A bill to authorize the Justices of the Inferior Court of certain counties therein named to levy a special tax for county purposes, and to regulate the same.

The Senate took up the report of the Committee of the whole on the bill of the House of Representatives to incorporate the Raccoon Coal Mining Company, and to extend the provisions of an act to incorporate the Wahatchee Mining company, approved March 6th, 1866, to the same.

The Committee on Internal Improvements, to whom this bill was referred, reported the same back to the Senate, with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

The following bill of the House of Representatives was read the second time, and made the special order for Wednesday next, to-wit:

A bill to extend the aid of the State to the completion of the Air Line Railroad, and for other purposes.

The following bills of the House of Representatives were verbatim read the second time, to-wit:

A bill to incorporate the town of Sylvania, in the county of Screven, and to appoint commissioners for the same, and for other purposes.

A bill to legalize certain acts of the Fulton Loan and

Building Association, and the Stonewall Building and Loan Association.

A bill to authorize the Justices of the Inferior Court of Decatur county to issue bonds for the payment of erecting a bridge over Flint River, within the limits of Bainbridge, or for the payment of stock in a corporate company for that purpose.

A bill to change the time of holding the Superior Courts, in the county of Macon, and to provide for the drawing of two panels of grand and petit jurors in said county.

A bill to add fractional lots of land numbers 224, 225 and 256, in the 13th district of originally Lee, to the county of Terrell.

A bill for the relief of Miley E. Tuck, former wife of Seaborn G. Tuck, of Walton county, Georgia.

A bill for the relief of Messrs. Seago, Palmer & Co.

A bill to repeal an act entitled an act to provide for the election of a superintendent of public roads and bridges, in the county of Wilkes, Muscogee and Lincoln, and such other counties as may adopt the provisions of this act, and to define his rights and duties, and to repeal all laws inconsistent with this act, so far as it is applicable to the counties of Lincoln and Wilkes.

A bill to legalize the acts of the Inferior Court of Echols county.

A bill to authorize the Empire State Iron and Coal Mining Company to establish an office at Chattanooga, or some other place out of the State.

A bill to authorize the Inferior Court, of DeKalb county, to increase the fees of jailor for said county.

A bill to amend the act incorporating the city of Americus, in the county of Sumter, and the several acts amendatory of said incorporating act.

A bill to explain the third section of an act entitled an act to prescribe and regulate the relation of parent and child, among persons of color, in this State, and for other purposes, approved 9th March, 1866, and to add an additional section thereto.

A bill to amend an act entitled an act to make uniform the laws of this State for the collection of costs and other purposes, assented to 17th April, 1863, so far as it relates to the county of Lincoln.

A bill to authorize the city council of Thomasville to issue bonds to the amount of one hundred thousand dollars, for the purpose of taking stock in the South Georgia & Florida Railroad, and for other purposes.

The following bills of the House of Representatives were

severally read the second time, and referred to the Judiciary Committee, to-wit :

A bill to authorize administrators to perfect title in certain cases.

A bill to amend section 2519 of the Code of Georgia.

A bill to alter and amend the 1578th and 1579th paragraphs of the Code of Georgia.

A bill to alter and amend paragraph 204 and 206 of the Revised Code.

A bill to regulate continuances, and for other purposes.

A bill to protect sheriffs and other officers, and to regulate the levy of executions, and for other purposes.

A bill to enforce the observance of the Lord's day.

A bill to enable owners of mills, mines and manufactories, to draw water from branches or other head waters, through intervening lands.

A bill to reorganize the Fire Department of the city of Savannah.

A bill to pay in money to each wounded disabled soldier, the value of the artificial limb to which he may be entitled, under an act of the General Assembly, approved March 13th, 1866, under such provisions as are contained in this act.

A bill to legalize the acts of the Justices of the Inferior Court of Pickens county, and State of Georgia, in a certain case.

A bill to change the times of holding the Superior Courts, of the county of Spalding, and for other purposes therein named.

The following bill of the House of Representatives was read the second time, and referred to the Finance Committee, to-wit :

A bill for the relief of Henry J. G. Williams.

The following bill of the House of Representatives was read the second time and referred to the Committee on Banks, to-wit :

A bill to incorporate the Ocmulgee Loan and Savings Bank Association, and to confer upon the same certain powers and privileges therein specified.

The following bills of the House of Representatives were severally read the second time, and referred to the Committee on Internal Improvements :

A bill to incorporate the Mechanics' Steam Power Company.

A bill to incorporate the Pogue Shoals Manufacturing Company.

The following bills were severally read the second time, to-wit :

A bill to amend an act entitled an act for the relief of the people of Georgia, and to prevent the levy and sale of property under certain circumstances and within a limited period, passed over the veto of the Governor by a vote of two-thirds, March 6th, 1866.

A bill to provide for the citizens of Twiggs county to settle the question of the removal of the county site from Marion, its present location, to Jeffersonville, in said county.

A bill to so alter and change the county lines between the counties of Twiggs and Jones, as to add the residence of James Baker to the county of Jones.

The following bills were severally read the second time, and referred to the Committee on the Judiciary, to-wit:

A bill to amend section 980 of the Code of Georgia, by striking out the words "of which he is a resident," after the words "Congressional district," in said section.

A bill to provide for the selection of a judge in certain cases.

The following bill was read the second time, and referred to the Committee on Internal Improvements, to-wit:

A bill to incorporate the Chenubbee Manufacturing Company.

On motion, the Senate adjourned until to-morrow morning, at 10 o'clock.

TUESDAY, December 4th, 1866.

THE SENATE met pursuant to adjournment, and was opened by prayer from the Rev. Mr. BUTLER, of the Senate.

On a call of the roll, the following bills were introduced and severally read the first time, to-wit:

By Mr. BARWICK—

A bill to grant a re-survey and grant of lands in this State in certain cases.

By Mr. J. F. JOHNSON—

A bill to lay out and form a new county out of the counties of Coweta, Meriwether, Spalding and Fayette, and to organize the same, accompanied by a petition.

By Mr. GRESHAM—

A bill for the relief of James C. Adams and James M. Hall, of the county of Pike.

By Mr. O. P. BEALL—

A bill to make legal and valid the tax levied by the Justices of the Inferior Court of Randolph county, for county purposes, for the year 1866.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Rutherford Mining Company.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to provide for the citizens of Twiggs county to settle the question of the removal of the county site from Marion, its present location, to Jeffersonville, in said county.

Mr. GRIFFIN moved to amend, by adding the following as an additional section, which was agreed to, to-wit :

“And be it further enacted, That the Justices of the Inferior Court are hereby authorized, if the vote of the county is for removal, to turn over to the committee which may be appointed to build a court house and jail, the old court house in the town of Marion, and said buildings are to be under the supervision of said Justices.”

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and the Secretary was directed to transmit the same forthwith to the House of Representatives.

Mr. MOORE, Chairman of the Committee on the Judiciary, made the following report :

Mr. President: The Committee on the Judiciary, to whom were referred sundry bills, have considered the same, and report thereon as follows, to-wit :

A bill to be entitled an act to enable owners of mills, mines and manufactories to draw water from branches or other head-waters, through intervening lands: and recommend it do not pass.

A bill to be entitled an act to alter and amend paragraph (204) two hundred and four and two hundred and six (206) of the Revised Code: and recommend it be passed.

Also, a bill to be entitled an act to alter and amend the 1578th and 1579th paragraphs of the Code of Georgia: and recommend its passage.

Also, a bill to be entitled an act to amend section 980 of the Code of Georgia, by striking out the words “of which he is a resident,” after the words “Congressional district,” in said section: which they recommend do pass.

Also, a bill to be entitled an act to provide for the selection of a judge in certain cases : and recommend its passage.

Also, a bill to be entitled an act to change the times of holding the Superior Courts of the county of Spalding, and for other purposes therein named : and recommend it do pass.

Also, a bill to be entitled an act to pay in money to each wounded disabled soldier the value of the artificial limb to which he may be entitled under an act of the General Assembly, approved March 13th, 1866, under such provisions as are contained in this act : and recommend it should pass.

Also, a bill to be entitled an act to legalize the acts of the Justices of the Inferior Court of Pickens county, and State of Georgia, in a certain case : and recommend its passage.

Also, a bill to be entitled an act to enforce the observance of the Lord's day : and recommend it do not pass.

And a bill to be entitled an act to reorganize the Fire Department of the city of Savannah : and recommend it do not pass.

All of which is respectfully submitted,

B. B. MOORE, *Chairman.*

The Senate took up the report of the Committee of the Whole on the bill to authorize the Inferior Court of Bibb county to issue their bonds for the purpose of raising funds to build a new court house and jail.

On motion, the same was laid on the table for the present.

The Senate took up the report of the Committee of the Whole on the bill to amend an act entitled an act for the relief of the people of Georgia, and to prevent the levy and sale of property under certain circumstances and within a limited period, passed over the veto of the Governor by a vote of two-thirds, March 6th, 1866.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend section 980 of the Code of Georgia, by striking out the words "of which he is a resident," after the words "Congressional District," in said section.

The Judiciary Committee, to whom this bill had been referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to provide for the selection of a Judge in certain cases, etc.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to so alter and change the county lines between the counties of Twiggs and Jones, so as to add the residence of James Baker to the county of Jones.

The report of the Committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to extend the aid of the State to the completion of the Macon & Brunswick Railroad Company, and for other purposes.

On motion, the same was indefinitely postponed.

The Senate took up the report of the Committee of the Whole on the bill to extend the aid of the State to the Savannah, Griffin & North Alabama Railroad, and for other purposes.

On motion, the same was indefinitely postponed.

The Senate took up the resolution authorizing the officers of the Western & Atlantic Railroad and the tax collectors in this State to receive, in payment for dues to said road and taxes due the State, certain change bills of said road, issued by the Superintendent under the acts of the General Assembly, assented to December 17th, 1861, and April 6th, 1863.

On motion, the resolution was referred to the Committee on the Judiciary.

The Senate took up the special order of the day, which was the consideration of the report of the Committee of the Whole on the bill

To incorporate the Albany & Atlantic Railroad Company.

The Committee on Internal Improvements, to whom this bill was referred, reported in favor of its passage, and recommend the following amendments, to-wit :

To amend the 1st section by inserting after the word "Chatham," in the 4th line, the words "R. M. Gunby of Muscogee, W. W. Ship of Chattahoochee, Wm. Watt of Stewart, O. P. Beall of Randolph"; also, by inserting after the word "same," in the seventh line of the second section, the words, "to the city of Columbus, in Muscogee county," and by striking out the word "to," in the same line, and inserting the word "through."

On motion the amendments were agreed to.

Mr. STROZIER moved to amend the second section by inserting after the words "initial point," in the sixth line, the words "or at other points on said Gulf Railroad, so as not to run within twenty miles of the Brunswick & Albany Railroad"; which was agreed to.

Mr. BEDFORD moved to postpone the bill indefinitely; which motion was lost.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

Mr. O. L. SMITH, from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President of the Senate, and Speaker of the House of Representatives, the following acts, to-wit :

An act to amend an act incorporating the city of Bainbridge, in the county of Decatur, and the acts amendatory thereof.

On motion, the rules were suspended, and Mr. J. F. JOHNSON reported the following resolution, which was agreed to, to-wit :

Resolved, That a seat upon the floor of the Senate be tendered to the Hon. David Irwin during his stay at the Capitol.

The rules being further suspended, Mr. MOORE reported the following bills, which were read the first time, to wit :

A bill to incorporate the Lumpkin Chestatee Mining Company, and for other purposes.

Also, a bill to incorporate the Hall Chestatee Mining Company, and for other purposes.

The following message was received from the House of Representatives, through Mr. ESTES, their Clerk, *pro tem.* :

Mr. President : The House of Representatives have passed the following bills :

A bill to change the line between the counties of Johnson and Emanuel, so as to include the residence and farm of Henry Neel, of Johnson county, within the county of Emanuel.

A bill to amend the 1669th paragraph, part 2d, title 2d, chapter 1st, article 1st, section 2d of the Revised Code of Georgia, and to legalize certain judgments and decrees of the Superior Courts of this State in divorce cases.

A bill to amend the eighth section of an act entitled an act to incorporate the Memphis Branch Railroad and Steamboat Company of Georgia, approved December 21st, 1839.

A bill to repeal an act entitled an act to regulate the sale of spirituous liquors in the county of Stewart, and for other purposes, assented to December 19th, 1859.

A bill to regulate the building of fish traps in the Withlacoochee River.

A bill to confer on the Justices of the Inferior Court of the several counties of this State the power to fix the fees of jailors for dieting prisoners.

A bill to regulate the manner of giving in land for taxation, and the sale and redemption thereof, and for other purposes.

They have also adopted the following resolution, in which they invite the concurrence of this branch of the General Assembly :

A resolution authorizing the Secretary of State to employ a clerk in his office for the year 1867

They have passed the following bills of the Senate :

A bill to incorporate the Lumpkin Manufacturing Company.

A bill to change section 2500 of the Code of Georgia.

A bill for the relief of Albert Fields, of the county of Dougherty, and to legalize the marriage between him and Caroline C. Floyd, of Dougherty county.

They have rejected the following bills of the Senate :

A bill to change the times of holding the Supreme Courts so far as concerns the Macon, South Western, Pataula and Chattahoochee circuits.

A bill to prevent the distillation of cereals and the seeds of sugar cane, into spirituous liquors, in the State of Georgia, until the meeting of the next General Assembly, and for other purposes therein named.

A bill to so far modify the laws against lotteries as to enable children of destitute soldiers and the orphans of such as died in military service, to receive a liberal education.

The House of Representatives insist upon their amendments to the following bill of the Senate :

A bill to amend the law in regard to effecting service of bills in equity, to marshal the assets of estates of deceased persons.

The Senate took up the reconsidered bill for the pardon of Creed T. Wise, a convict in the Penitentiary, for the crime of murder.

The report of the committee was agreed to, the bill was read the third time, and a constitutional majority being necessary to pass the same, the yeas and nays were required to be recorded, and are yeas 31, nays 5.

Those voting in the affirmative are Messrs.

Barwick,	England,	Quillian,
Beall, O. P	Ezzard,	Redding,
Bedford,	Freeman,	Russell,
Bell, W R.,	Griffin,	Smith, C. H.
Black,	Johnson, J. A. W.,	Smith, O. L.
Blount,	Johnson, J. F.	Strickland,
Bower,	Kenan,	Strozier,
Brown,	Mims,	Thornton,
Butler,	Parris,	Turner,
Carter,	Patterson,	VanDuzer.
Crawford,		

Those voting in the negative are Messrs.

Dickey,	Manson,	Wilcox.
Fuller,	Owens,	

Yeas 31 ; nays 5. So the bill was passed by a constitutional majority.

The Senate took up the report of the Committee of the Whole on the bill to authorize the Governor to issue new bonds of the State, in lieu of old bonds issued prior to the late war, and which matured during the war, and were reinvested in bonds of the State within that period.

The Committee on the Judiciary, to whom this bill was referred, reported adversely to the passage of the same.

Pending the consideration of the same, the Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Leave of absence was granted to the Senator from the 17th District, after Friday next, for the balance of the session.

The Senate resumed the unfinished business of the morning session, which was the consideration of the report of the Committee of the Whole on the bill to authorize the Governor to issue new bonds of the State in lieu of old bonds issued prior to the late war, and which matured during the war, and were reinvested in bonds of the State within that period.

The report of the committee, was disagreed to, the bill was read the third time, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are yeas 11, nays 24.

Those voting in the affirmative, are Messrs.

Black,	Mims,	Smith, C. H.
Butler,	Moore,	Smith, O. L.
Kenan,	Redding,	Turner.
Manson,	Simmons,	

Those voting in the negative are Messrs.

Barwick,	Dickey,	Parris,
Beall, O. P	England,	Patterson,
Bedford,	Ezzard,	Russell,
Bell, W R.	Freeman,	Strickland,
Blount,	Fuller,	Strozier,
Bower,	Griffin,	Thornton,
Brown,	Gresham,	VanDuzer,
Daley,	Johnson, J. A. W	Wilcox.

Yeas 11 ; nays 24. So the bill was lost.

Mr. C. H. SMITH, Chairman from the Committee on Finance, submitted the following report :

Mr. President : The Committee on Finance have had under consideration the following bill of the House, to-wit :

A bill to be entitled an act for the relief of Henry J. G. Williams : which they recommend do pass.

C. H. SMITH,

Chairman Finance Committee.

Mr. STROZIER moved that the Senate adjourn until to-morrow morning at 10 o'clock ; which motion was lost.

On motion, the rules were suspended, and Mr. BEDFORD introduced a bill to define the amount for which judgment shall be obtained on debts contracted prior to 1st day of June, 1865, and to provide the mode and manner of scaling said debt, which was read the first time.

The rules being further suspended, Mr. GRESHAM introduced a bill to give to lumber dealers a lien for their protection, which was read the first time.

The following bills were severally read the second time, to-wit :

A bill to incorporate the town of Tebeauville, in the county of Ware, and to provide for the election of commissioners.

A bill to change the time of holding the Superior Courts in the counties of Floyd, Polk, Paulding and Campbell, of the Tallapoosa Circuit.

A bill to incorporate the Richmond County Agricultural Society, and to confer certain powers and immunities upon the same.

A bill to allow the transfer of license to retail spirituous liquors in the county of Stewart, and to repeal an act to regulate the sale of spirituous liquors in the county of Stewart, approved December 19th, 1859.

A bill for the relief of James M. Bryant, of Fulton county.

A bill to increase the jail fees in the county of Dougherty, in certain cases.

A bill incorporating the Planters' Loan and Banking Association, approved March 27, 1866.

A bill to authorize the Mayor and Aldermen of the city of Bainbridge to issue bonds of the city, and to invest the same, and to levy an extra tax for their redemption.

A bill to alter and amend the charter of the Madison Petroleum Company of Georgia, approved March 21st, 1866.

A bill to continue in force and amend an act entitled an act to incorporate the town of Fairburn, in the counties of Campbell and Fayette.

A bill to incorporate the Allatoona Mining and Manufacturing Company.

A bill to amend an act entitled an act to incorporate the Sweetwater Manufacturing Company of the county of Campbell, and to incorporate the Augusta Quoit Club, approved December 21st, 1849.

A bill for the relief of Mrs. Lizzie Glover, of the county of Campbell.

A bill declaratory of the force and effect of the stay laws of this State in reference to taxation by municipal corporations.

The following bill was read the second time and referred to the Committee on Banks, to-wit :

A bill to incorporate the Savings Bank of Forsyth.

The following bill was read the second time and referred to the Committee on Finance, to wit :

A bill to define the mode and manner of fixing the salaries of the Superintendent, Auditor and Treasurer of the Western & Atlantic Railroad.

The following bills were read the second time and severally referred to the Committee on the Judiciary, to wit :

A bill to alter and fix the time of holding the Superior Courts in the county of Houston.

A bill to declare the force and effect of a certain bond executed and delivered to the United States of America by the State of Georgia, as hereinafter set forth.

A bill to define in what newspapers the ordinaries, clerks and sheriffs of the several counties in this State shall advertise.

A bill to authorize the Inferior Court of Crawford county to levy an extra tax to pay the indebtedness of said county.

A bill to amend the 877th section of the Code, and to provide that under certain circumstances therein mentioned the provisions of the Code in reference to the issue of new State bonds in lieu of lost bonds, shall apply to stolen bonds.

A bill in relation to insurance companies not chartered by the State of Georgia, but doing business therein.

A bill to prohibit executors, administrators and guardians from renting or leasing real property for a longer period than twelve months, without first obtaining an order from the ordinary for that purpose.

A bill to provide for the filling of the office of Judge of the Superior Courts in cases when, on the day fixed by the Constitution for said election, there is no majority vote cast.

A bill to declare the force and effect of certain laws, and to declare the duty of sheriffs and other ministerial officers under certain circumstances, and to relieve them from liability in such cases.

A bill to amend the several acts in relation to the City Court of Savannah.

A bill for the relief of married women in this State.

A bill to regulate the building and repairing of party

and other walls and fences in the city of Savannah, to declare the rights of lot owners in respect thereto, and to give to the City Council of Savannah authority to make rules and regulations in the premises.

A bill for the relief of executors, administrators guardians and trustees.

A bill to allow disabled soldiers in this State to peddle without license.

The following bills were read the second time and referred to the Committee on Internal Improvements, to-wit:

A bill to continue in force an act, approved December 27th, 1847, entitled an act to incorporate the Atlanta & LaGrange Railroad Company.

A bill to incorporate the Savannah, Griffin & North Alabama Railroad.

A bill to incorporate the Southern Railroad Company.

Mr. SMITH, chairman of the Committee on Enrollment, reported as duly enrolled, signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following acts, to-wit:

An act to regulate the pay of grand and petit jurors of the county of Meriwether, and to repeal conflicting laws.

Also, an act to amend the 16th section of the act incorporating the town of Adairsville, in Bartow county, Georgia.

Also, an act to encourage sheep raising in this State.

Also, an act to authorize and require the Justices of the Inferior Court of Decatur county to order the payment of the superintendents, clerks, and those who consolidate the returns of elections of said county, for their services.

Also, an act to incorporate the Raccoon Coal Mining Company, and to extend the provisions of an act to incorporate the Wahatchee Mining Company, approved March 6th, 1866, to the same.

Also, an act to make valid contracts of apprenticeships made by citizens of Georgia with agents of the Freedmen's Bureau.

Mr. BROWN, from the Committee on New Counties and County Lines, made the following report:

Mr. President: The committee have had under consideration the following bills, and recommend that they do pass, to-wit:

A bill to change the line between the counties of Wilcox and Pulaski.

A bill to change the county line between the counties of Appling and Coffee.

The following bills of the House of Representatives were severally read the first time, to-wit:

A bill to amend the eighth section of an act entitled an act to incorporate the Memphis Branch Railroad & Steamboat Company of Georgia, approved December 21st, 1839.

A bill to regulate the building of fish traps in the Withlacoochee river.

A bill to change the time for holding the Superior Courts for the county of Richmond, and for other purposes.

A bill to repeal an act entitled an act to regulate the sale of spirituous liquors in the county of Stewart, and for other purposes, assented to December 19th, 1859.

A bill to confer on the Justices of the Inferior Court of the several counties of this State the power to fix the fees of jailors for dieting prisoners.

A bill for the relief of Miley E. Tuck, former wife of Seaborn G. Tuck, of Walton county, Georgia.

A bill to change the line between the counties of Johnson and Emanuel so as to include the residence and farm of Henry Neel, of Johnson county, within the county of Emanuel.

A bill for the relief of J. J. Anderson, an employee upon the Western & Atlantic Railroad in the year 1859.

A bill to regulate the manner of giving in land for taxation, and the sale and redemption thereof, and for other purposes:

A bill to amend the 1669th paragraph, part 2d, title 2d, chapter 1st, article 1st, 2d section of the Revised Code of Georgia, and to legalize certain judgments and decrees of the Superior Courts of this State in divorce cases.

The following bills of the House of Representatives were severally read the second time and referred to the Committee on the Judiciary, to-wit :

A bill to alter and change the 4249th and 4250th paragraphs of the Code of Georgia.

A bill to amend the 3465th section of the Code of Georgia.

A bill to appropriate a fund for the burial of the Confederate dead.

The following bill of the House of Representatives was read the second time and referred to the Committee on Finance, to-wit :

A bill to provide a mode to furnish transportation to soldiers in traveling to and from their homes to the place or places designated as places to supply maimed soldiers with a leg or an arm.

The following bills of the House of Representatives were severally read the second time, to-wit :

A bill to prescribe the mode and manner of electing the Mayor and members of Council of the city of Atlanta.

A bill to prevent obstructions in the Okalochee river so far as relates to the counties of Thomas and Colquitt, and for other purposes.

A bill to exempt persons actually engaged in attending to a grist mill from jury duty.

A bill to incorporate the town of Euaharlee, in the county of Bartow, and to appoint commissioners for the same, and for other purposes.

A bill to compensate grand and petit jurors of the Superior, Inferior and County Courts in the county of Decatur, in this State, and to authorize the levy of an extra tax for said purpose.

A bill to allow defendants to be witnesses in certain cases therein mentioned.

A bill to amend an act entitled an act for the relief of maimed and indigent soldiers and officers, citizens of this State who belonged to military organizations of this State, in the State or Confederate States armies, approved the 12th of March, 1866.

The following bill of the House of Representatives was read the second time and referred to the Finance Committee, to-wit :

A bill explanatory of the sixth section of an act entitled an act "to levy and collect a tax for the support of the Government for the year 1866, and for other purposes ; approved 3d of March, 1866.

Mr. MOORE moved that the Senate adjourn until 7 o'clock, P M. ; which motion was lost.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY, December 5th, 1866.

The Senate met pursuant to adjournment, and was opened by prayer from the Rev. Dr. FLYNN :

On motion, the rules were suspended, and Mr. KENAN introduced a bill to increase the fees of the clerk of the Superior Court and sheriff of Baldwin county, which was read the first time.

Mr. OWENS introduced a bill to repeal section 2194 of the Code, which was read the first time.

Also, a bill to encourage telegraphic communication between the State of Georgia and the Bahamas and West India Islands, which was read the first time.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the town of Tebauville, in the county of Ware, and to provide for the election of commissioners.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Richmond County Agricultural Society, and to confer certain powers and immunities upon the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Allatoona Mining and Manufacturing Company.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to alter and amend the charter of the Madison Petroleum Company of Georgia, approved March 21st, 1866.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to authorize the mayor and aldermen of the city of Bainbridge to issue bonds of the city, and to invest the same, and to levy an extra tax for their redemption.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill for the relief of Mrs. Lizzie Glover, of the county of Campbell.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend an act incorporating the Planters' Association, approved March 27th, 1866.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill for the relief of James M. Bryant, of Fulton county.

The report of the committee was agreed to, the bill was read the third time and passed.

Mr. O. L. SMITH, from the Committee on Enrollment, reported as duly enrolled, and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following acts, to-wit :

An act for the relief of Albert Fields, of the county of Dougherty, and to legalize the marriage between him and Caroline C. Floyd, of Dougherty county.

An act to change the 2500th section of the Code of Georgia.

An act to incorporate the Lumpkin Manufacturing Company.

Mr. OWENS, from the Committee on Internal Improvements, submitted the following report :

Mr. President: The Committee have considered several bills submitted to them, and have directed me to report as follows :

An act to incorporate the Southern Railroad Company : which they recommend do pass.

A bill to be entitled an act to incorporate the Chenubbee Manufacturing Company : which they recommend do pass.

An act to amend an act incorporating the Savannah, Griffin & North Alabama Railroad Company : which they recommend do pass.

A bill to be entitled an act to continue in force an act, approved December 27th, 1847, entitled an act to incorporate the Atlanta & LaGrange Railroad Company : which they recommend do pass.

A bill to be entitled an act to incorporate the Pogue Shoals Manufacturing Company : which they recommend do pass.

A bill to be entitled an act to incorporate the Mechanics' Steam Power Company, which they propose to amend by inserting the word "Manufacturing" after the word "Power" in the title thereof, and by inserting the word "Manufacturing" after the word "Power" in the last line of the first section : and with these amendments, they recommend its passage.

GEO. S. OWENS, *Chairman.*

The Senate took up the report of the Committee of the Whole on the bill to increase the jail fees in the county of Dougherty, in certain cases.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to change the time of holding the Superior Courts in the counties of Floyd, Polk, Paulding and Campbell, of the Tallapoosa Circuit.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Sweetwater Manufacturing Company, of the county of Campbell, and to incorporate the Augusta Quoit Club, approved December 21st, 1849.

The report of the committee was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Estes, their Clerk *pro tem.*:

Mr. President: The House of Representatives have passed the following bills:

A bill allowing executors and administrators of other States and Territories of the United States to qualify and act as such executors and administrators in this State, in certain cases.

A bill to make valid the issuing of scrip by the Inferior Court of the county of Lowndes to build a jail.

A bill to make legal the sale of the Bainbridge Academy lot, and for other purposes.

A bill to declare in full force an act entitled an act to incorporate the town of Dahlonega, in the county of Lumpkin, assented to December 11th, 1858, and an act amendatory thereof, assented to December 10th, 1859, and for other purposes.

A bill to change the line between the counties of Carroll and Heard, so as to include the residence of Michael C. Sumerlin, of the county of Heard, within the county of Carroll.

A bill for the relief of G. W. Puckett, of the county of Cherokee.

A bill to amend an act entitled an act to incorporate the town of Valdosta, in the county of Lowndes, for the election of Mayor, Councilmen and Marshal for the same, passed the 7th of December, 1860.

A bill to amend an act entitled an act to incorporate Cotton Hill Male and Female Seminary, in the village of Cotton Hill, Clay county, and to appoint trustees for the same, approved March 6th, 1856.

A bill to change the line between the counties of Catoosa and Walker.

A bill to revive and declare of force an act to incorporate the town of Waynesboro', in the county of Burke, assented to December 10th, 1812, and the several acts amendatory thereof; to amend said acts; to enlarge the powers of the commissioners, etc.

A bill to add lot of land No. 84, in the fifth district of the county of Wilcox, to the county of Pulaski.

A bill to amend the charter of Athens Fire Company, No. 1.

A bill to repeal an act entitled an act to amend the several acts regulating roads in this State, so far as respects the operation of said acts in the counties of Bryan, Liberty, McIntosh, Glynn, Camden and Wayne, assented to December 8th, 1806, and an act to amend an act entitled an act to exempt certain persons of McIntosh county from road duty, etc., approved January 19th, 1852, etc.

A bill for the relief of E. B. Loyless, of Webster county

A bill for the relief of Frederick Cox and Harrison Rogers.

They have passed the following bills of the Senate:

A bill to provide for an election by the citizens of McIntosh county to settle the question of the location of their county site.

A bill to relinquish the contingent interest of the State of Georgia in that portion of land below the city of Macon, known as the State's Reserve, and to repeal the proviso to the first section and the second section of the act to vest that portion of land below the city of Macon, known as the State's Reserve, in the corporate authorities of the city of Macon, approved March 6th, 1856.

A bill to prevent the destruction of fish in times of low water in the county of Emanuel, and to punish the same.

A bill to repeal an act, assented to 15th of December, 1862, in relation to an assessment of tax on cotton and other merchandise.

They have passed the following bills of the Senate, with amendments thereto, in which they invite the concurrence of this branch of the General Assembly:

A bill to repeal the fifth section of an act entitled an act to repeal an act entitled an act to extend the civil jurisdiction of the Justices of the Peace in the city of Savannah, and to compel Justices of the Peace and Constables of county districts in the county of Chatham to be residents of the districts of which they are elected, assented to the 21st day of December, 1835, so far as the civil jurisdiction of the Justices of the Peace for the first, second, third and fourth districts Georgia Militia, in the city of Savannah, are concerned, and to establish rates of fees of magistrates and constables in the city of Savannah, approved February 17th, 1854.

A bill to alter the time of holding the County Court in the county of Stewart.

They have concurred in the amendment of the Senate to the following bill of the House:

A bill to authorize the Justices of the Inferior Court of

Camden county to levy a special tax for county purposes, and to regulate the same.

They have rejected the following bills of the Senate:

A bill to compel the Judges of the Supreme Court to read their decisions from the bench and sign the same at the opening of each and every session, and for other purposes.

A bill to amend section 3764 of the Code of Georgia, by adding the words "or district" after the word "county," in the second line of said section.

A bill to add additional sections to the 10th division, part 4th, title 1st of the Penal Code of this State.

A bill to repeal section 1439 of the Code of Georgia.

The Senate took up the report of the Committee of the Whole on the bill declaratory of the force and effect of the stay laws of this State in reference to taxation by municipal corporations.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the resolution of the House of Representatives requesting the Governor to subscribe for two hundred and fifty copies of the Digest of the Decisions of the Supreme Court of Georgia, prepared by A. O. Bacon.

Mr. GRESHAM moved the following as a substitute for the same, to-wit:

Resolved, That his Excellency, the Governor, be, and he is hereby authorized to subscribe for and furnish the said Digest to such of the following officers: One copy to each Ordinary in this State; one copy to each Judge of the County Court; one copy to each Clerk of the Superior Courts; one copy to each Judge of the Supreme Court; thirty-six copies for exchange with the libraries of other States; twenty-five copies for the State library, and one copy for each Judge of the Superior Court.

On motion, the substitute was adopted in lieu of the original.

The resolution, as amended, was concurred in, and the Secretary was directed to transmit the same forthwith to the House of Representatives.

The Senate took up the report of the Committee of the Whole on the bill to continue in force and amend an act entitled an act to incorporate the town of Fairburn, in the counties of Campbell and Fayette.

On motion, the same was laid on the table for the present.

On motion, the rules were suspended, and the Senate took up the report of the Committee of the Whole on the bill of the House of Representatives for the relief of Messrs. Seago, Palmer & Co.

The report of the committee was agreed to, the bill was read the third time, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are yeas 22, nays 16.

Those voting in the affirmative, are Messrs.

Bell, W. R.	Johnson, J. F.	Russell,
Black,	Kenan,	Simmons,
Butler,	Manson,	Smith, C. H.
Carter,	Mims,	Smith, O. L.
Crawford,	Parris,	Strickland,
Ezzard,	Patterson,	Turner.
Griffin,	Quillian,	Wilcox.
Johnson, J. A. W.		

Those voting in the negative are Messrs.

Barwick,	Dickey,	Moore,
Beall, O. P.	England,	Owens,
Bedford,	Freeman,	Redding,
Blount,	Fuller,	Thornton,
Brown,	Gresham,	VanDuzer.
Daley,		

Yeas 22; nays 16. So the bill was passed.

The following message was received from his Excellency, the Governor, through Mr. Hunter, his Secretary, to-wit:

Mr. President: The Governor has approved and signed the following acts, to-wit:

An act to legalize the revisions of the lists of grand and petit jurors of the several counties of this State, and to extend the time for the same, and to legalize the drawing of jurors, and for other purposes.

An act to facilitate the sale of real estate of Georgia, and to encourage immigration thereto.

An act to incorporate the Savings Bank of Lumpkin.

Mr. C. H. SMITH, Chairman of the Committee on Finance, submitted the following report:

Mr. President: The Committee on Finance have had under consideration the following bills, to-wit:

A bill to be entitled an act to donate the Okefenokee Swamp lands, belonging to the State of Georgia, as a permanent endowment to the Georgia State Orphan Home: recommend it do pass.

Also, a bill to be entitled an act to define the mode and manner of fixing the salaries of the superintendent, auditor and treasurer of the Western & Atlantic Railroad: the committee recommend that it do pass as amended.

CHAS. H. SMITH,

Chairman Committee on Finance.

The Senate took up the special order of the day, which was

the consideration of the report of the Committee of the Whole on the bill of the House of Representatives to extend the aid of the State to the completion of the Air Line Railroad, and for other purposes.

Mr. GRESHAM moved to amend the first section by adding the following proviso, which was agreed to, to-wit:

"*Provided, also,* That the endorsement of the State upon the bonds of the said company shall not exceed \$500,000, until an amount of capital equal to the additional endorsement shall be *bona fide* subscribed and paid in to said company."

Mr. GRESHAM moved further to amend by adding the following as an additional section, which was agreed to, to-wit:

SEC. 3d. *Be it enacted,* That in order more fully to secure the payment of the bonds of said railroad company, it shall be the duty of said company to set apart annually two per cent. of the amount endorsed for as a sinking fund, which shall be invested in State bonds, and deposited with the Governor, to be held in trust for said company, and which shall be applied exclusively to the payment of the bonds of said company."

Mr. MOORE moved further to amend by adding the following as an additional section, which was disagreed to, to-wit:

"*Be it further enacted,* That any future legislature of this State may repeal the provisions of this act."

The report of the committee, as amended, was agreed to, the bill was read the third time, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are yeas 24, nays 9.

Those voting in the affirmative are Messrs.

Beall, O. P.	Ezzard,	Quillian,
Bedford,	Freeman,	Russell,
Bell, W. R.	Griffin,	Smith, C. H.
Blount,	Gresham,	Smith, O. L.
Brown,	Johnson, J. A. W.	Strickland,
Crawford,	Johnson, J. F.	Thornton,
Dickey,	Parris,	VanDuzer.
England,	Patterson,	Wilcox.

Those voting in the negative are Messrs.

Barwick,	Fuller,	Owens,
Black,	Mims,	Redding,
Butler,	Moore,	Turner.

Yeas 24; nays 9. So the bill was passed.

The Senate took up the report of the Committee of the

Whole on the bill to define the mode and manner of fixing the salaries of the superintendent, auditor and treasurer of the Western & Atlantic Railroad.

The Finance Committee, to whom this bill was referred, reported in favor of its passage, with the following amendment, to-wit :

By striking out in the first section all after the word "commissioner," and insert in lieu thereof the words, "to be appointed by his Excellency, the Governor, and his Excellency shall approve their action before the same shall be of force.

On motion, the amendments were agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to continue in force an act approved December 27th, 1847, entitled an act to incorporate the Atlanta & LaGrange Railroad Company.

The Committee on Internal Improvements, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Chenubbee Manufacturing Company

The Committee on Internal Improvements, to whom this bill was referred, reported in favor of the passage of the same.

The report of the committee was agreed to, and the bill was read the third time and passed.

The following message was received from the House of Representatives through Mr. Estes, their Clerk, *pro tem.* :

Mr. President : The House of Representatives have passed the following bills :

A bill to incorporate the Van Wert Quarrying and Mining Company.

A bill to relieve Helen Lapham, formerly Helen Chaffin, and Mary Ann Drakeford, formerly Mary Ann Terry, from the legal disability to contract the marriage relation, and of all penalties for having contracted the same.

A bill to incorporate the town of Senoid, in the county of Coweta, and to appoint commissioners of the same, and to point out the mode of electing commissioners and other officers of said town, etc.

A bill to amend the charter of the city of Brunswick.

They have concurred in the action of the Senate in adopting a substitute for the following bill of the House :

A bill to change the line between the counties of Worth and Dougherty, so as to include the residence and lands of certain persons in the county of Worth.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Moss-gill Manufacturing Company.

The Committee on Internal Improvements, to whom this bill had been referred, reported in favor of its passage with the following amendments, which were agreed to, to-wit:

To amend the caption by adding the words "of Baldwin county." Also, to amend the first section by inserting after the word "Company," in the eleventh line, the words "of Baldwin county;" and by adding at the close of the first section the words "the principal place of business of said company shall be at Milledgeville, or such other point in said county as the company shall designate;" and also, by adding, at the close of the second section the words, "provided such locks, dams, or canals shall in no way interfere with the navigation, or obstruct the main channel of said river."

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and the Senate took up the report of the Committee of the Whole on the reconsidered bill, to declare certain persons competent witnesses, as in the act set out, and for other purposes.

Mr. THORNTON moved to amend by inserting after the word "husband," in the ninth line of the second section, which was agreed to, to-wit:

"Nor shall any attorney be compellable to give evidence for or against his client."

Mr. OWENS moved also to amend further by adding the following after the word "party," in the sixth line of the proviso, the words, "in any suit on a contract of his testator or intestate;" which motion was agreed to.

Mr. BEDFORD moved to amend by adding the following proviso, which was disagreed to, to-wit:

"Provided that no party having a legal interest in any suit, according to the laws now of force in this State, shall be sworn in open court; but such party having a legal interest shall have the right to have their interrogatories taken and read according to the laws now of force on the trial of their cause."

Mr. BEDFORD moved to amend further by striking out the words, "by reason of incapacity for crime;" which motion was lost.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

Mr. O. L. SMITH, from the Committee on Enrollment reported as duly enrolled, and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following acts, to-wit:

An act to repeal an act assented to 15th of December, 1862, in relation to an assessment of tax on cotton as merchandize.

An act to prevent the destruction of fish in times of low water in the county of Emanuel, and punish the same.

An act to relinquish the contingent interest of the State of Georgia in that portion of land below the city of Macon known as the State's Reserve, and to repeal the proviso to the first section, and the second section of the "Act to vest that portion of land below the city of Macon known as the State's Reserve in the corporate authorities of the city of Macon," approved March 6th, 1856.

The rules being further suspended, the Senate took up the report of the Committee of the Whole on the reconsidered bill, to provide for education, and to establish a general system of Georgia schools, to which various amendments had been proposed.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

On motion, the rules were further suspended, and Mr. BUTLER introduced

A bill to amend an act to incorporate the Baptist Church of Christ, at Macon, and to appoint trustees for the same; approved December 3d, 1851; which was read the first time.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Hawkinsville Manufacturing Company of Pulaski county, Georgia.

The Committee on Internal Improvements, to whom this bill had been referred, reported in favor of the passage of the same by adding the following to the first section, to-wit:

"The principal place of business of said company shall be at Hawkinsville."

On motion, the amendment was agreed to.

The report of the committee, as amended was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to repeal the 1391st section of the Code of Georgia; and to provide compensation for taking up estrays.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives for the relief of Henry J. G. Williams.

The Finance Committee, to whom this bill was referred, reported the same back to the Senate, with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to consolidate the offices of the clerk of the Superior and Inferior Courts for the county of Henry.

The Committee on the Judiciary, to whom this bill was referred, proposed to amend by adding the words "Dougherty county," and, with this amendment, they recommend its passage.

Mr. J. F. JOHNSON moved to amend by including the county of Clayton in the provisions of the bill, which was agreed to.

Mr. GRIFFIN moved to amend by including the county of Twiggs in the provisions of the bill, which was agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to enable owners of mills, mines and manufactories to draw water from branches, or other head waters, through intervening lands.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

Mr. J. A. W. JOHNSON moved to amend by striking out all of said bill in reference to "milling and manufacturing," which was agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to amend the road laws of this State.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the 4451st section of the Code of Georgia.

The Judiciary Committee, to whom this bill was referred,

having reported adversely to its passage, the same was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to authorize guardians and others to compromise claims under certain circumstances.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend an act entitled an act to incorporate the town of Ellaville, in Schley county, approved Nov. 23d, 1859.

On motion, the same was laid on the table for the balance of the session.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Pogue Shoals Manufacturing Company.

The Committee on Internal Improvements, to whom this bill had been referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the charter of Mount Vernon Institute, in Washington county.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to pay in money to each wounded disabled soldier the value of the artificial limb to which he may be entitled under an act of the General Assembly, approved March 13th, 1866, under such provisions as are contained in this act.

The Committee on the Judiciary, to whom this bill was referred, reported the same back to the Senate, and recommend that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to alter and amend section 4641 of the Code of Georgia.

The Judiciary Committee, to whom this bill was referred, recommend the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the

Whole on the bill of the House of Representatives to alter and amend the 324th section of the Revised Code of Georgia.

The Judiciary Committee, to whom had been referred the foregoing bill, reported the same back to the Senate with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and the Senate took up the report of the Committee of the Whole on the bill to continue in force and amend an act entitled an act to incorporate the town of Fairburn, in the counties of Campbell and Fayette.

Mr. TURNER reported the following as a substitute in lieu of the original, to-wit:

A BILL

To be entitled An Act to continue in force and amend An Act entitled An Act to incorporate the town of Fairburn, in the counties of Fayette and Campbell, approved 17th February, 1854.

SECTION 1ST. *Be it enacted by the General Assembly of Georgia,* That from and after the passage of this act, the above recited act shall continue in as full force as though there had been no failure at any time to elect commissioners at the time of annual election.

SEC. 2D. *Be it further enacted,* That the commissioners, or a majority of them, of said town, shall have power to levy and collect a tax on all property subject to taxation in said town, to the amount of not more than one hundred per cent. on the State tax, said tax to be collected as prescribed by the commissioners.

SEC. 3d. The commissioners of said town shall have full power to regulate the sale of spirituous liquors, and levy such tax upon it as they may deem fit, within the limits of said town.

SEC. 4TH. Said commissioners shall have power to levy a tax on all billiard tables, and upon all ten-pin alleys used for playing or kept for renting in the limits of said town; and shall have further power to levy and collect a tax of not exceeding twenty-five dollars on all itinerant shows, sleight-of-hand, legerdemain tricks, or any other kind of exhibition, and also to levy a tax upon all artists taking pictures, and itinerant peddlers vending their merchandise within the limits of said town.

SEC. 5TH. Said commissicners shall have power to pass such regulations as they may deem fit for the working of the streets of said town. The citizens of said town shall not be required to work roads without the limits of the town.

SEC. 6TH. All laws in conflict herewith are repealed.

On motion, the substitute was received in lieu of the original.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and Mr. MOORE reported the following resolution, to-wit:

Resolved by the General Assembly, That in view of a sine die adjournment, a committee of two from the Senate and three from the House of Representatives be appointed to ascertain and report the quantity of business now before each house, to be acted on by the General Assembly.

On motion, the rules were suspended, and the resolution was taken up, read and agreed to.

The committee appointed under the above, on the part of the Senate, consists of Messrs. MOORE and O. L. SMITH.

The Senate took up the report of the committee on the bill of the House of Representatives to alter and amend section 3807 of the Code of Georgia.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

The report was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to alter and amend an act entitled an act to incorporate the town of Hawkinsville, in the county of Pulaski, to appoint commissioners for the same, and to confer certain privileges upon said commissioners.

Also, to incorporate the town of Grooversville, in Brooks county, and for other purposes, approved December 8th, 1859.

The Committee on Internal improvements, to whom this bill had been referred, recommended that the bill do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to authorize the City Council of Thomasville to issue bonds to the amount of one hundred thousand dollars, for the purpose of taking stock in the South Georgia and Florida Railroad, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and the Senate took up the report of the Committee of the Whole on the reconsidered bill to authorize suits to be brought against any railroad or express company in this State, and against the super-

intendent of the Western & Atlantic Railroad in any county in which such road or express company may have a place of business and an officer or agent.

Mr. THORNTON moved to amend by adding the following proviso, to-wit:

“Provided the cause of action originated in the county where the suit is brought.”

On motion, the amendment was agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

The following bills were severally read the second time, to-wit:

A bill to incorporate the Lumpkin Chestatee Mining Company, and for other purposes.

A bill to incorporate the Hall Chestatee Mining Company, and for other purposes.

A bill to make legal and valid the tax levied by the Justices of the Inferior Court of Randolph county, for county purposes, for the year 1866.

The following bill was read the second time and referred to the Committee on New Counties and County Lines, to wit:

A bill to lay out and form a new county out of the counties of Coweta, Meriwether, Spalding and Fayette, and to organize the same.

The following bills were read the second time and referred to the Judiciary Committee, to-wit:

A bill to give to timber dealers a lien for their protection.

A bill to authorize a resurvey of lands, and to authorize a new grant therefor in certain cases.

A bill for the relief of James C. Adams and James M. Hall, of the county of Pike.

A bill to define the amounts for which judgment shall be obtained on debts contracted prior to the first day of June, 1865, and to provide the mode and manner of sealing said debts.

The following bills from the House of Representatives were read the second time and referred to the Judiciary Committee, to-wit:

A bill for the relief of J. J. Anderson, an employee upon the Western & Atlantic Railroad in the year 1859.

A bill to amend the 1669th paragraph, part 2d, title 2d, chapter 1st, article 1st, 2d section of the Revised Code of Georgia, and to legalize certain judgments and decrees of the Superior Courts of this State in divorce cases.

A bill to confer on the Justices of the Inferior Court of the

several counties of this State the power to fix the fees of jailors for dieting prisoners.

A bill for the relief of Miley E. Tuck, former wife of Seaborn G. Tuck, of Walton county.

The following bills of the House of Representatives were severally read the second time, to-wit :

A bill to regulate the building of fish traps in the Withlacoochee River.

A bill to amend the eighth section of an act entitled an act to incorporate the Memphis Branch Railroad and Steamboat Company of Georgia, approved December 21st, 1839.

A bill to change the time of holding the Superior Courts of the county of Richmond, and for other purposes.

A bill to repeal an act entitled an act to regulate the sale of spirituous liquors in the county of Stewart, and for other purposes, assented to December 19th, 1859.

The following bill of the House of Representatives was read the second time, and referred to the Committee on New Counties, to-wit :

A bill to change the line between the counties of Johnson and Emanuel, so as to include the residence and farm of Henry Neel, of Johnson county, within the county of Emanuel.

The following bill of the House of Representatives was read the second time and referred to the Committee on Finance, to-wit :

A bill to regulate the manner of giving in land for taxation, and the sale and redemption thereof, and for other purposes.

On motion, the session was prolonged, and the Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to alter and amend paragraphs 204 and 206 of the Revised Code.

The Committee on the Judiciary, to whom this bill was referred, recommend the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to change the time of holding the Superior Courts of the county of Macon, and to provide for the drawing of two panels of grand and petit jurors in said county.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to alter and amend the 1578th and 1579th paragraphs of the Code of Georgia.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to authorize the Justices of the Inferior Court of Decatur county to issue bonds for the payment of erecting a bridge over Flint River, within the limits of Bainbridge, or for the payment of stock in a corporate company for that purpose.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to incorporate the town of Sylvania, in the county of Screven, to appoint commissioners for the same, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend an act entitled an act to amend the charter of the Georgia Western Railroad, passed December 20th, 1860.

The Judiciary Committee, to whom the bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the Senate adjourned until to-morrow morning, at 9½ o'clock.

THURSDAY, December 6th, 1866.

The SENATE met pursuant to adjournment, and was opened by prayer from the Rev. Dr. MANSON, of the Senate.

Mr. PARRIS moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill for the relief of Messrs. Seago, Palmer & Co.

Whereupon the yeas and nays were required to be recorded, and are yeas 20, nays 18.

Those voting in the affirmative are Messrs.

Barwick,	Bell, W R.	Dickey,
Beall, O. P.,	Black,	England,
Bedford,	Blount,	Ezzard,

Fuller,	Owens,	Strickland,
Gresham,	Parris,	Strozier,
Kenan,	Russell,	VanDuzer.
Moore,	Simmons,	

Those voting in the negative are Messrs.

Brown,	Griffin,	Quillian,
Butler,	Johnson, J. A. W	Redding,
Carter,	Johnson, J. F.	Smith, C. H.,
Crawford,	Manson,	Smith, O. L.,
Daley,	Mims,	Turner,
Freeman,	Overstreet,	Wilcox.

Yeas 20; nays 18. So the motion to reconsider prevailed.

Mr. J. A. W JOHNSON moved that the subject matter contained in the provisions of the foregoing bill be referred to a committee of five, whereupon the yeas and nays were required to be recorded, and are yeas 20, nays 16.

Those voting in the affirmative are Messrs.

Beall, O. P	Johnson, J. A. W	Smith, C. H.
Black,	Johnson, J. F.	Smith, O. L.
Brown,	Manson,	Strickland,
Carter,	Overstreet,	Turner,
Crawford,	Quillian,	VanDuzer.
Ezzard,	Russell,	Wilcox.
Freeman,	Simmons,	

Those voting in the negative are Messrs.

Barwick,	England,	Mims,
Bedford,	Fuller,	Moore,
Blount,	Griffin,	Owens,
Daley,	Gresham,	Parris,
Dickey,	Kenan,	Redding,
		Strozier.

Yeas 20; nays 16. So the motion prevailed.

The committee appointed under the above motion consists of Messrs. J. A. W JOHNSON, STOZIER, MANSON, PARRIS and TURNER.

Leave of absence was granted to the Senator from the 8th district after Saturday next for the balance of the session.

Mr. MOORE, chairman of the Committee on the Judiciary, made the following report:

Mr. President: The Judiciary Committee to whom were referred certain bills, have had them under consideration, and instruct me to report thereon as follows:

A bill for the relief of the people of Georgia, and to prevent the levy and sale of property under certain circumstances: which they recommend do pass.

A bill to amend the 3465th section of the Code of Georgia: which they recommend do pass.

A bill to alter and change the 4249th and 4250th paragraphs of the Code of Georgia: which they recommend do not pass.

A bill to allow disabled soldiers in the State to peddle without license, which they recommend do pass with the following proviso attached to the first section:

“Provided, that this act shall not authorize peddling ardent spirits; and the privileges conferred by this act shall not be transferred to or used by any other person.”

A resolution authorizing the officers of the Western & Atlantic Railroad, and the tax collectors in this State, to receive in payment of dues to said road, and taxes due the State, certain change bills issued by the superintendent of said road, under the acts of the General Assembly, assented to December 17th, 1861, and April 6th, 1863: which they recommend should not be adopted.

A bill to appropriate a fund for the burial of the Confederate dead: which they recommend do pass.

A bill defining in what newspapers the ordinaries, clerks and sheriffs of the several counties of this State shall advertise; which they recommend do pass.

A bill to amend the 877th section of the Code of Georgia, and to provide that under certain circumstances therein named the provisions of the Code in reference to the issue of new State bonds in lieu of lost bonds, shall apply to stolen bonds, which the committee propose to amend by adding to the second section the following:

“Provided that no new bond shall be issued for or in lieu of any lost or stolen bond, until the owner of such bond shall first give to the State a bond, with security, to be approved by the Governor for the time being, fully indemnifying the State against the payment of the bond so lost or stolen”: and with this amendment, they recommend that the bill be passed.

A bill to amend an act entitled “An Act for the relief of maimed and indigent soldiers and officers, citizens of this State, who belonged to military organizations of this State or Confederate States armies,” approved March 12th, 1866: which they recommend do pass.

A bill to declare the force and effect of a certain bond executed and delivered to the United States of America by the State of Georgia as hereinafter set forth, for which the committee offer the accompanying substitute, entitled

“A bill to declare the force and effect of a certain bond executed by the State of Georgia, through Campbell Wallace, Superintendent of the Western & Atlantic Railroad, and John Jones, Treasurer of said State, on the first day of April,

A. D. 1866, and to make said bonds valid for the purposes therein set forth, as now understood and agreed by the parties": which substitute they recommend be passed in lieu of the original bill.

A bill to alter and fix the time of holding the Superior Courts in the county of Houston: which they recommend do pass.

A bill for the relief of administrators, executors, guardians and trustees, and of their estates: which they recommend do pass.

A bill to amend the several acts in relation to the city of Savannah: which they recommend do pass.

A bill to authorize the Inferior Court of Crawford county to levy an extra tax to pay the indebtedness of said county: which they recommend do pass.

A bill to declare the force and effect of certain laws, and to declare the duty of sheriffs and other ministerial officers under certain circumstances, and to relieve them from liability in such cases: which they recommend do pass.

A bill to regulate the building and repairing of party and other walls and fences in the city of Savannah, to declare the rights of lot owners in respect thereto, and to give to the city council of Savannah authority to make rules and regulations in the premises: which they recommend do pass.

A bill for the relief of married women in this State: which they recommend do pass.

A bill to define the amount for which judgment shall be obtained on debts contracted prior to the first day of June, 1865, and to provide the mode and manner of sealing said debts: which they recommend do not pass.

A bill to give to lumber dealers a lien for their protection: which they recommend do not pass.

A bill to define and fix the time when the late war between the United States and the Confederate States shall be considered as having terminated, and for other purposes: which a majority of the committee recommend do pass.

A bill to prohibit executors, administrators and guardians from leasing real estate for a longer period than one year, without first obtaining an order from the ordinary for that purpose, which the committee propose to amend by striking from the first section the following words, to-wit: "without first obtaining an order from the ordinary of the county in which the real estate is situated, authorizing him to do so", and by making the title conform to this amendment: the committee recommend the passage of the bill as thus amended.

A bill to provide for filling the office of Judge of the

Superior Court in cases where, on the day fixed by the constitution for said election, there is no majority vote cast; which the committee propose to amend in the title and body of the bill, by adding the words "Solicitors General" after the words "Superior Court" in fourth line of first section: and the committee recommend the passage of the bill with this amendment.

A bill to amend the third paragraph of section 1980 of the Code of Georgia: which they recommend do not pass.

A bill for the relief of James C. Adams and James M. Hall, of the county of Pike: which they recommend do pass.

A bill to authorize the confinement of convicts in the jails, and prescribe the manner of determining the compensation of jailors therefor, which the committee propose to amend by adding the following to the first section, "provided that when such convicts have been hired out the party hiring shall be responsible for such costs;" and, with this amendment, they recommend the bill be passed.

A bill to authorize a resurvey and grant of lands in this State, in certain cases: which they recommend do not pass.

A bill to confer on the Justices of the Inferior Court of the several counties of this State the power to fix the fees of jailors for dieting prisoners: which they recommend do pass.

A bill to protect sheriffs and other officers, and to regulate the levy of executions, and for other purposes: which they recommend do not pass.

A bill to authorize administrators to perfect titles in certain cases, which they propose to amend by striking out the word "or" and inserting in lieu thereof the word "and," in the fourth line of first section: and being so amended, they recommend its passage.

A bill to regulate continuances, and for other purposes: which they recommend do not pass.

A bill to allow defendants to be witnesses in certain cases therein named: which they recommend do not pass.

A bill to amend section 2519 of the Code of Georgia: which they recommend do not pass.

A bill to amend the 1669th paragraph, part 2d, title 2d, chapter 1st, article 1st, 2d section of the Revised Code of Georgia, and to legalize certain judgments and decrees of the Superior Courts of this State in divorce cases: which they recommend do pass.

A bill for the relief of Milly E. Tuck, former wife of Seaborn G. Tuck, of Walton county, Georgia: which they recommend do pass.

A bill for the relief of J. J. Anderson, an employee upon the Western & Atlantic Railroad in the year 1859: which they recommend do pass.

A bill to alter and amend an act for the relief of the people of Georgia, and to prevent the levy and sale of property and within a limited period, passed March 8th, 1866. The committee recommend the passage of the House bill herewith reported, on the same subject, and which, in the opinion of the committee, will render the passage of this bill unnecessary.

B. B. MOORE,

Chairman.

Mr. SMITH, chairman of the Committee on Enrollment, reported as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following act; to-wit:

An act to authorize the Justices of the Inferior Courts of Camden, Glynn and Effingham counties to levy a special tax for county purposes, and to regulate the same.

Mr. O. L. SMITH, from the Committee on Enrollment, reported as duly enrolled, and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following act, to-wit:

An act to provide for an election by the citizens of McIntosh county to settle the question of the location of their county site.

The following message was received from the House of Representatives, through Mr. Estes, their Clerk, *pro tem.*:

Mr. President: The House of Representatives have passed the following bills:

A bill to relieve the estate of John C. Dumas, late of Jones county, deceased.

A bill to aid, by endorsement of the State, the bonds of the Muscogee Railroad Company, in order to enable said Company to effect a connection with Barnesville.

A bill to declare the effect of the second section of an ordinance passed by the Convention, November 8th, 1865, to make valid private contracts, entered into and executed during the war against the United States, and to authorize the courts of this State to adjust equities, etc.

A bill to amend the first section of an act authorizing the appointment of vendue masters in the several corporate towns and cities in this State, approved the 21st of February, 1866.

A bill to fix the times of holding the Supreme Court, and to regulate proceedings therein.

A bill to amend the 2133d section of the Code of Georgia.

A bill to alter and change the time of holding the Superior

Courts in the counties of the Blue Ridge Circuit of this State.

A bill to alter and amend section 1815 of the Revised Code.

A bill to amend section 3883 of the Code of Georgia.

A bill concerning the advertisement of Sheriff's sales.

A bill to amend an act incorporating the Southern Insurance & Trust Company, passed December 17th, 1861.

A bill to repeal an act entitled an act to point out the mode of paying the fees of the Solicitor General of the Eastern Judicial District of Georgia, in Chatham county, in certain cases, and for other purposes therein enumerated.

A bill to change the time of holding the County Court of Clay county.

A bill to incorporate the "Island Manufacturing Company," in the county of Bartow, on the Etowah River.

A bill to incorporate "The Grand Lodge of the Order of the Knights of Jericho of the State of Georgia."

They have also agreed to a joint resolution in relation to reserved lands, in which they invite the concurrence of this branch of the General Assembly.

Also, a resolution recommending the Governor to pardon Charles W. Crumby, a convict.

Also, a resolution relative to the donation by citizens of Kentucky of corn and other supplies for the destitute poor of Georgia.

They have concurred in the amendments of the Senate to the following bill of the House of Representatives:

A bill to incorporate the Hancock Iron Company, and to confer certain powers and privileges thereon.

Mr. J. F. JOHNSON reported the following resolution:

Whereas, John McMahan, a convict now confined in the Penitentiary for life, did make known to the keeper of the Penitentiary the fact that many of the convicts had conspired together for the purpose of making their escape, as well as to burn and sack the city of Milledgeville.

And whereas, by said information said convicts were detected and prevented from carrying out their designs; therefore, be it

Resolved, by the Senate and House of Representatives of the State of Georgia, That his Excellency, the Governor, be and he is hereby requested to pardon John McMahan, a convict now in the Penitentiary for life, and to release him from said sentence of confinement, and to discharge him from the same, and let him go free without hurt.

Also, a bill to authorize the Inferior Court of Richmond

county to levy and collect an extra tax for the year 1867, which was read the first time.

On motion, the rules were suspended, and the Senate took up the message of the House of Representatives in relation to the bill of the Senate to alter and amend an act for the relief of the people of Georgia, and to prevent the levy and sale of property, and within a limited period, passed 8th of March, 1866, which the House of Representatives had amended by a substitute.

On motion, the amendment was concurred in.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Hall Chestatee Mining Company, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Lumpkin Chestatee Mining Company, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to make legal and valid the tax levied by the Justices of the Inferior Court of Randolph county for county purposes, for the year 1866.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to allow the transfer of license to retail spirituous liquors in the county of Stewart, and to repeal an act to regulate the sale of spirituous liquors in the county of Stewart, approved December 19th, 1859.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to define and fix the time when the late war between the United States and the Confederate States shall be considered as having terminated, and for other purposes.

The Judiciary Committee, to whom this bill was referred, reported in favor of the passage of the same.

The report of the Committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend the 877th section of the Code of Georgia, and to provide that, under certain circumstances therein mentioned, the provisions of the Code in reference

to the issue of new State bonds in lieu of lost bonds, shall apply to stolen bonds.

The Judiciary Committee, to whom this bill was referred, reported in favor of the passage of the bill, with the following proviso to the second section, to-wit :

“ Provided that no new bond shall be issued for or in lieu of any lost or stolen bonds until the owner of such bonds shall first give to the State a bond with approved security, to be approved by the Governor, for the time being, fully indemnifying the State against the payment of the bond so lost or stolen.

On motion, the amendment was agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend the several acts in relation to the City Court of Savannah.

The Judiciary Committee, to whom this bill had been referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to authorize the Inferior Court of Crawford county to levy an extra tax to pay the indebtedness of said county.

The Judiciary Committee to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to declare the force and effect of a certain bond executed and delivered to the United States of America by the State of Georgia, as hereinafter set forth.

The Committee on the Judiciary, to whom this bill had been referred, reported the same back to the Senate, and recommend the passage of the following as a substitute in lieu of the original, to-wit :

A BILL,

To be entitled an act to declare the force and effect of a certain bond executed by the State of Georgia, through Campbell Wallace, Superintendent of the Western & Atlantic Railroad, and John Jones, Treasurer of said State, on the first day of April A. D., 1866, and to make said bond valid for the purposes therein set forth, as now understood and agreed by the parties.

Whereas, The late provisional Superintendent of the Wes-

tern & Atlantic Railroad purchased from the Government of the United States a considerable quantity of railroad property in the month of October, 1865, amounting to four hundred and seventy-two thousand and nine hundred and forty-four dollars and sixty-six cents (\$472,944.66), by the invoice, and to be thereafter delivered ; for the amount of which purchase, with interest thereon at the rate of 7.30 per cent. per annum, bond was required to be given.

And whereas, by an act of the General Assembly, approved 13th of March, 1866, Campbell Wallace, Superintendent of said railroad, and John Jones, Treasurer of the State, were authorized to execute to the United States of America a bond pledging the faith of the State of Georgia for the payment of the purchase money by the property aforesaid, stated in said act to be four hundred and sixty-four thousand one hundred and fifty-two dollars and twenty-five cents, (\$464,152.25), which sum proved to be less than the amount actually purchased by invoice.

And whereas, upon fuller information a penal bond in the sum of nine hundred and eighty-two thousand three hundred and ten dollars and seventy-two cents (\$982,310.72) was executed and delivered by said officers, binding the State of Georgia to the complete and punctual payment in monthly installments, within two years from the purchase of the amounts which may be due for the said materials, received or to be received by it from the United States.

And whereas, the Hon. Edwin M. Stanton, Secretary of War of the United States, did, on the 27th day of August, 1866, agree and consent with Charles J. Jenkins, Governor of Georgia, to release the said State from the payment of monthly installments on said debt ; provided the General Assembly of said State would by act declare the said bond valid for the payment, at the expiration of two years from the time of purchase, of the principal and interest of said debt then remaining due ; and provided that all interest due the first day of November, 1866, be then paid, and accruing interest quarterly thereafter.

Now, therefore, for the purpose of correcting all mistakes, and more clearly defining the liability of said State—

The General Assembly of the State of Georgia do enact, That the true intent and meaning, the force and effect of said before mentioned bond is, that at or before the expiration of two years from the time of purchase aforesaid, the amount of principal due on said purchase shall be paid in full, and the interest paid quarterly from and after the first of November, 1866, and for such payment of principal and interest the faith of the State is solemnly pledged by said bond, and by this State.

On motion, the substitute was received in lieu of the original.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed, under the following title, to-wit:

A bill to be entitled an act to declare the force and effect of a certain bond executed by the State of Georgia, through Campbell Wallace, Superintendent of the Western & Atlantic Railroad, and John Jones, Treasurer of said State, on the 1st day of April, A. D., 1866, and to make said bond valid for the purposes therein set forth, as now understood and agreed by the parties.

The Senate took up the report of the Committee of the Whole on the bill for the relief of administrators, executors, guardians and trustees of their estates.

On motion, 50 copies of the foregoing bill were ordered to be printed for the use of the Senate.

The Senate took up the report of the Committee of the Whole on the bill to alter and fix the time of holding the Superior Courts in the county of Houston.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill defining in what newspapers the ordinaries, clerks and sheriffs of the several counties of this State shall advertise.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend the 3d paragraph of section 1980 of the Code of Georgia.

The Committee on the Judiciary, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill to authorize the confinement of convicts in the jails, and prescribe the manner of determining the compensation of jailors therefor.

The Committee on the Judiciary, to whom this bill had been referred, proposed to amend by adding the following proviso, to-wit:

Provided, That when such convicts have been hired out, the party hiring shall be responsible for such costs ; and with this amendment they recommend the passage of the bill.

On motion the amendment was agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to prohibit executors, administrators and guardians from renting or leasing real property for a longer period than twelve months, without first obtaining an order from the ordinary for that purpose.

The Committee on the Judiciary, to whom this bill was referred, proposed to amend by striking out the words "without first obtaining an order from the ordinary of the county in which the real estate is situated, authorizing him to do so."

On motion, the amendment was disagreed to.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend an act incorporating the Savannah, Griffin & North Alabama Railroad.

The Committee on Internal Improvements to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to declare the force and effect of certain laws, and to declare the duty of sheriffs and other ministerial officers, under certain circumstances, and to relieve them from liability in such cases.

The Committee on the Judiciary, to whom this bill had been referred, reported in favor of the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and Mr. STROZIER introduced a bill to compel persons holding claims against the State entered into, or arising at any time from 1st January, 1861, to the 25th June, 1866, passed upon by the court ; which was read the first time.

The Senate took up the report of the Committee of the Whole on the bill for the relief of married women in this State.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to.

Mr. BEDFORD moved that the bill be recommitted, which motion was lost.

The bill was read the third time and passed.

Mr. TURNER moved that the session be prolonged until 2 o'clock, which motion was lost.

On motion, the Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

On motion, the rules were suspended, and Mr. C. H. SMITH introduced a bill to incorporate the Iron Spinning Company, of Dade county, Georgia; which was read the first time.

The Senate took up the report of the Committee of the Whole on the bill to allow disabled soldiers in this State to peddle without license.

The Committee on the Judiciary, to whom this bill was referred, propose to amend by adding the following proviso to the first section, to-wit:

Provided, That this act shall not authorize peddling ardent spirits, and the privilege conferred by this act shall not be transferred to, or used by any other person; and with this amendment they recommend its passage.

On motion, the amendment was agreed to.

The report of the committee as amended, was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to regulate the building and repairing of party and other walls and fences in the city of Savannah; to declare the rights of lot owners in respect thereto, and to give to the city of Savannah authority to make rules and regulations in the premises.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and the following bills were introduced and read the first time, to-wit:

By Mr. OVERSTREET—

A bill to repeal the oath prescribed in the 1377th paragraph of the Revised Code of Georgia to be taken by retailers of spirituous liquors.

Also, a bill to authorize Banner Thomas, of Pierce county, guardian of William Gye, to deliver to his said ward the

property and effects in his possession, as guardian, belonging to him, and to relieve said guardian from all liability, pains and penalties for so doing.

By Mr. O. P. BEALL—

A bill to incorporate the National Loan and Banking Association.

The Senate took up the report of the Committee of the Whole on the bill to authorize the Inferior Court of Bibb county to issue bonds for the purpose of raising funds to build a new court house and jail.

Mr. GRESHAM moved to amend by inserting after the word "act," in the first line of the second section, the words "shall be approved and signed by all the Justices of the Inferior Court in their official capacity, and," which was agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to give to lumber dealers a lien for their protection.

The Committee on the Judiciary, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill for the relief of James C. Adams and James M. Hall, of the county of Pike.

The Judiciary Committee, to whom this bill was referred, reported in favor of the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Southern Railroad Company.

The Committee on Internal Improvements, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to authorize a re-survey and grant of land in this State in certain cases.

The Committee on the Judiciary, to whom this bill had been referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill to define the amount for which judgment shall be obtained on debts contracted prior to the first day of

June, 1865, and to provide the mode and manner of scaling said debt.

The Committee on the Judiciary, to whom this bill was referred, reported against the passage of the same.

On motion, the foregoing bill was referred to a special committee of five, consisting of Messrs. Bedford, Bower, Moore, VanDuzer and Brown.

The following bills were severally read the second time, to-wit :

A bill to repeal section 2194 of the Code.

A bill to increase the fees of the Clerk of the Superior Court and Sheriff of Baldwin county.

A bill to amend an act entitled an act to incorporate the Baptist Church of Christ, at Macon, and to appoint trustees for the same, approved December 3d, 1851.

A bill to so far modify the laws against lotteries so far as to allow Elihu P. Watkins, of the city of Atlanta and State of Georgia, and Sarah Doles, widow of General George Doles, Mary Ann Williams, widow of General Charles J. Williams, Mrs. Phœbe Pember, matron of Chimborazo Hospital, also, Mrs. Lofton, widow of Colonel John T. Lofton, of Oglethorpe county, said State, to adopt a scheme to raise money for the purpose of establishing a school of high order, at which the children of all persons engaged in the late war may be supported and educated.

The following bill was read the second time and referred to the Committee on Internal Improvements, to-wit :

A bill to encourage telegraphic communication between the State of Georgia and the Bahamas and West India Islands.

Mr. BROWN, from the Committee on New Counties and County Lines, made the following report :

Mr. President: The Committee on New Counties and County Lines have had under consideration the following bill, to-wit :

A bill to be entitled an act to change the line between the counties of Johnson and Emanuel, so as to include the residence and farm of Henry Neel, of Johnson county, within the county of Emanuel: which they recommend do pass.

Mr. OWENS, from the Committee on Banks, made the following report :

Mr. President: The committee have had under consideration the following bills, to-wit :

A bill to be entitled an act to incorporate the Ocmulgee Loan and Savings Bank Association, and to confer upon the same certain powers and privileges therein specified: which they recommend do not pass.

A bill to be entitled an act to incorporate the Savings Bank of Forsyth: which they recommend do pass.

The following message was received from the House of Representatives, through Mr. Estes, their Clerk, *pro tem.*:

Mr. President: The House of Representatives have concurred in the resolution from the Senate in reference to an adjournment *sine die*, and I am instructed to transmit notice of their action forthwith to this branch of the General Assembly.

The committee on the part of the House are Messrs. Barnes, Ridley and Green.

The following bills of the House of Representatives were read the second time, to-wit:

A bill to add lot of land number (84) eighty-four, in the fifth (5th) district of the county of Wilcox, to the county of Pulaski.

A bill allowing executors and administrators of other States and Territories of the United States to qualify and act as such executors and administrators in this State, in certain cases.

A bill to amend section 3883 of the Code of Georgia.

A bill to amend 2133d section of the Code of Georgia.

A bill to amend the charter of the city of Brunswick..

A bill to incorporate the town of Senoid, in the county of Coweta, and to appoint commissioners of the same, and to point out the mode of electing commissioners and other officers of said town, and to confer certain powers on the commissioners thereof, and for other purposes therein mentioned.

A bill to incorporate the Van Wert Quarrying and Mining Company.

A bill to relieve Helen Lapham, formerly Helen Chaffin, and Mary Ann Drakeford, formerly Mary Ann Terry, from the legal disability to contract the marriage relation, and of all penalties for having contracted the same.

A bill for the relief of E. B. Loyless, of Webster county.

A bill to repeal an act entitled an act to amend the several acts regulating roads in this State, so far as respects the operation of said acts in the counties of Bryan, Liberty, McIntosh, Glynn, Camden and Wayne, assented to December 8th, 1806, and an act to amend an act to exempt certain persons of McIntosh county from road duty, and for other purposes therein named, approved January 19th, 1852, so as to make the same general in its operation so far as the county of McIntosh is concerned, assented to February 18th, 1854, and for other purposes.

A bill to amend the charter of Athens Fire Company.

A bill incorporating the Island Manufacturing Company, in the county of Bartow, on the Etowah river.

A bill to change the line between the counties of Catoosa and Walker.

A bill to incorporate the Grand Lodge of the Order of the Knights of Jericho of the State of Georgia.

A bill to alter and amend section 1815 of the Revised Code.

A bill to make valid the issuing of scrip by the Inferior Court of the county of Lowndes to build a jail.

A bill to declare the effect of second section of an ordinance passed by the Convention, November 8th, 1865, to make valid private contracts entered into and executed during the war against the United States, and to authorize the courts of this State to adjust equities, etc.

A bill to fix the times of holding the Supreme Court, and to regulate proceedings therein.

A bill to amend an act incorporating the Southern Insurance and Trust Company, passed December 17th, 1861.

A bill to revive and declare of force an act to incorporate the town of Waynesboro', in the county of Burke, assented to December 10th, 1812, and the several acts amendatory thereof to amend said acts, to enlarge the powers of the commissioners of said town, and to extend the corporate limits thereof, to declare valid the election of the present board of commissioners, to make legal all ordinances and by-laws adopted by them, and for other purposes therein mentioned.

A bill to relieve Frederick Cox and Harrison Rogers.

A bill to aid, by endorsement of the State, the bonds of the Muscogee Railroad Company, in order to enable said company to effect a connection with Barnesville.

On motion, the rules were suspended, and the Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to change the time of holding the Superior Courts for the county of Richmond, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the Senate adjourned until to-morrow morning, at 9½ o'clock.

FRIDAY, December 7th, 1866.

THE SENATE met pursuant to adjournment, and was opened by prayer from the Rev. Mr. BROOKS.

Mr. OWENS moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the amendment reported by the House of Representatives to the bill for the relief of the people of Georgia, and to prevent the levy and sale of property under certain circumstances, whereupon the yeas and nays were required to be recorded, and are yeas 12, nays 28.

Those voting in the affirmative are Messrs.

Butler,	Kenan,	Quillian,
Carter,	Manson,	Redding,
Crawford,	Moore,	Smith, O. L.
Gresham,	Owens,	Turner.

Those voting in the negative are Messrs.

Barwick,	England,	Parris,
Beall, O. P.	Ezzard,	Patterson,
Bedford,	Freeman,	Russell,
Black,	Fuller,	Simmons,
Blount,	Griffin,	Smith, C. H.
Bower,	Johnson, J. A. W	Strickland,
Brown,	Johnson, J. F.	Strozier,
Daley,	Mims,	Thornton,
Dickey,	Overstreet,	VanDuzer.
		Wilcox.

Yeas 12, nays 28. So the motion to reconsider was lost.

Mr. O. P. BEALL moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill to make legal and valid the tax levied by the Justices of the Inferior Court of Randolph county, for county purposes, for the year 1866, which motion was agreed to.

Mr. GRESHAM moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill for the relief of married women of this State, which motion was lost.

Mr. C. H. SMITH moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill of the House of Representatives, to change the time of holding the Superior Courts for the county of Richmond, and for other purposes; which motion was agreed to.

Mr. SMITH, chairman of the Committee on Enrollment, reported as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following acts, to-wit:

An act to authorize the Justices of the Inferior Court of Decatur county to issue bonds for the payment of erecting a bridge over Flint River, within the limits of Bainbridge, or for the payment of stock in a corporate company for that purpose.

Also, an act to change the time of holding the Superior Courts in the county of Macon, and to provide for the drawing of two panels of grand and petit jurors in said county.

Also, an act to alter and amend paragraph two hundred and four (204) and two hundred and six (206) of the Revised Code.

Also, an act to incorporate the Pogue Shoals Manufacturing Company.

Also, an act to alter and amend the 1578th and 1579th paragraphs of the Code of Georgia.

Also, an act to repeal the 1391st section of the Code of Georgia, and to provide compensation for taking up estrays.

Also, an act to amend the charter of Mount Vernon Institute, in Washington county.

Also, an act to incorporate the town of Sylvania, in the county of Screven; to appoint commissioners for the same, and for other purposes.

Also, an act to amend an act entitled an act to amend the charter of the "Georgia Western Railroad," passed December 20th, 1860.

Also, an act to alter and amend section 3807 of the Code of Georgia.

Also, an act to authorize guardians and others to compromise claims under certain circumstances.

Also, an act to alter and amend the 324th section of the Revised Code of Georgia.

Also, an act to authorize the city council of Thomasville to issue bonds to the amount of one hundred thousand dollars, for the purpose of taking stock in the South Georgia & Florida Railroad, and for other purposes.

Also, an act to alter and amend section 4641 of the Code of Georgia.

Also, an act to pay in money to each wounded, disabled soldier the value of the artificial limb to which he may be entitled under an act of the General Assembly, approved March 13th, 1866, under such provisions as are contained in this act.

Also, an act for the relief of Henry J. G. Williams.

Also, an act to alter and amend an act entitled an act to incorporate the town of Hawkinsville, in the county of Pu-

laski; to appoint commissioners for the same, and to confer certain privileges upon said commissioners.

Also, to incorporate the town of Grooversville, in Brooks county, and for other purposes, approved December 8th, 1859.

Also, an act to amend the road laws of this State.

Also, to incorporate the Hancock Iron Company, and to confer certain powers and privileges thereon.

The following message was received from the House of Representatives, through Mr. Estes, their Clerk, *pro tem.*:

Mr. President: The House of Representatives have passed the following bill of the Senate, with amendments thereto, in which they invite the concurrence of this branch of the General Assembly:

A bill to alter and amend an act, approved March 17th, 1866, entitled an act to organize a County Court, define its jurisdiction, and for other purposes.

They have concurred in the amendments of the Senate to the following bills of the House of Representatives, and I am instructed to transmit notice of their action forthwith to the Senate:

A bill to extend the aid of the State to the completion of the Air Line Railroad, and for other purposes.

A bill to incorporate the Hawkinsville Manufacturing Company of Pulaski county, Georgia.

A bill to incorporate the Mossgill Manufacturing Company.

A bill to enable owners of mills, mines and manufactories to draw water from branches or other head-waters, through intervening lands.

A bill to consolidate the offices of the Clerk of the Superior Court and Inferior Court, in and for the county of Henry.

On motion, the rules were suspended, and the Senate took up the reconsidered bill of the House of Representatives to change the time of holding the Superior Courts for the county of Richmond, and for other purposes.

Mr. BARWICK moved to amend by adding the following as an additional section, which was agreed to, to-wit:

SECTION 3. *And be it further enacted*, That the times of holding the Superior Courts in Emanuel county be changed from the first Mondays in April and October to the second Mondays in April and October, and that all suits, writs and processes returned to said Court at said times be considered as returned to said times, to-wit: the second Monday in April and October, and legally tried and acted on as though returned to said times to which the same is changed.

Mr. C. H. SMITH moved to amend by adding the following as an additional section, which was agreed to, to-wit:

SECTION 4. *And be it further enacted*, That the semi-annual terms of the County Court for the county of Richmond be changed from the times now held by law to the second Monday in April and October, and that all writs and processes returned to said courts be considered and tried at said times.

Mr. C. H. SMITH moved further to amend by adding after the word "Richmond" the word "Emanuel," in the caption, and also to change the times of holding semi-annual sessions of County Courts in Richmond county.

On motion, the amendment was agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed, under the following title, to-wit:

A bill to change the time for holding the Superior Courts for the counties of Richmond and Emanuel, and for other purposes.

Mr. C. H. SMITH, Chairman from the Committee on Finance, submitted the following report:

Mr. President: The Committee on Finance have had under consideration the following bill of the House, to-wit:

A bill to be entitled an act to regulate the manner of giving in land for taxation, and the sale and redemption thereof, and for other purposes: which they recommend do pass as amended.

C. H. SMITH,

Chairman Finance Committee.

On motion, the rules were suspended, and the Senate took up the message of the House of Representatives in relation to the bill of the Senate to organize a County Court, define its jurisdiction, and for other purposes, which the House of Representatives had passed with the following amendments:

To amend the first section by adding the following:

It shall be the duty of the Judge of said court when requested in writing so to do, by a majority of the Justices of the Inferior Court, to call extra sessions for the delivery of the jail, and he may call extra sessions for the trial of the civil cases last specified.

On motion, the amendment was concurred in.

Also, to amend by adding the words "Richmond and Muscogee," in the 10th line of the 2d section.

On motion, the county of Richmond was stricken out.

The amendment, as amended, was concurred in.

Also, to amend by adding after the word "Court," in the 18th line of the 4th section, the following: "to be used when necessary by himself or the clerk, and until such seal is provided, the private seal of either may be used."

On motion, the amendment was concurred in.

Also, to amend by adding the following as an additional section, to-wit :

And be it further enacted, That the semi-annual sessions of the County Court for the county of Paulding shall be held on the 1st Monday in January and July, in each year ; for the county of Carroll, on the 2d Monday in January and July in each year ; for the county of Haralson, on the 3d Monday in January and July in each year ; for the county of Polk, on the 4th Monday in January and July in each year ; and, for the county of Richmond on the 3d Monday in April and October in each and every year, and in all other counties as required by law.

On motion, the amendment was concurred in.

Also, to amend by inserting the following, to come in at the end of the 6th section :

And should said Judge fail to pay out money as required, he may be ruled in the Superior Courts or Justices' Courts, as may be now by law ruled.

On motion, the amendment was concurred in.

Mr. C. H. SMITH moved to amend further, by adding the following :

For the county of Floyd, the fall term of the semi-annual session shall be held on the 3d Monday in October ; and the semi-annual terms of the county of Forsyth shall be on the 3d Mondays in May and November ; Thomas county, 1st Monday in March and September ; and that the semi-annual sessions of the county of Dougherty be held on the 4th Mondays in February and August.

On motion, the rules were suspended, and the Secretary was directed to transmit the action of the Senate on the foregoing bill forthwith to the House of Representatives.

Mr. OWENS, from the Committee on Internal Improvements, submitted the following report :

Mr. President : The Committee have considered the bills and papers submitted to them, and have directed me to report as follows :

A bill to be entitled an act to extend the aid of the State to the completion of the Air Line Railroad, and for other purposes ; which they report back, and ask to be relieved from its further consideration, a similar bill from the House having already passed the Senate.

Also, a bill to be entitled an act to incorporate the Lewis Manufacturing and Mining Company ; which they propose to amend by striking out the word "perpetual," in the 7th line of the 1st section ; by striking out of the 3d section, all after the word "corporation," in the 11th line, to the word

"which," in the 14th line ; by striking out the words "the whole," in the 16th line, and inserting the word "said ;" by striking out the words "including the estate of said John W Lewis," in the 18th line ; and by striking out all of said section, after the word "companies," in the 24th line ; also, by striking out the 4th section, and inserting in lieu thereof, the following :

The capital stock of said company shall be two hundred thousand dollars, which may be increased to five hundred thousand dollars, including the value of the real estate, which shall be considered as capital, and said capital stock shall be subject to taxation, as other corporate property in the State ; and with these amendments they recommend its passage.

Also, a bill to be entitled an act to encourage telegraphic communication between the State of Georgia and the Bahamas and West India Islands ; which they propose to amend by inserting the word "the" after the word "that," and the words "said corporation" after the word "composing," in the 4th line of the 1st section ; and by striking out the word "twenty," in the 7th line, and inserting "thirty ;" also, by inserting the words "said corporation" after the word "composing," in the 2d line of 2d section ; and by inserting after the word "line" in the 8th line, the words "with the assent of the owners of such line," and by inserting the words "said corporation" after the word "the," in the 17th line ; and with these amendments they recommend its passage.

They have also considered a memorial from Rome Chamber of Commerce, which they ask leave to report back, with the following resolution, which they recommend shall be adopted.

Resolved, That the Superintendent of the Western & Atlantic Railroad be authorized to establish such through rates of freight for all goods or freight in *transitu* over said road, to Rome, Georgia, as will give the citizens of Rome and surrounding country the benefit of a through rate of freight, such as is now enjoyed by the citizens of Chattanooga and Atlanta ; provided the same be not inconsistent with the interests of the Western & Atlantic Railroad.

Also, a memorial from sundry citizens, which they beg leave to report back without recommendation.

GEORGE S. OWENS,
Chairman.

Mr. MOORE made the following report :

Mr. President: The Special Committee appointed on the part of the Senate to confer with a similar committee on the part of the House of Representatives, and to examine into the business now before each branch of the General Assembly, have discharged the duty assigned them, and beg leave

to report that the present state of the Senate Calendar is as follows :

Senate bills for 3d reading.....	14
“ “ 2d “	5
“ resolutions.....	10
House bills for 3d reading.....	55
“ “ 2d “	23
“ “ 1st “	12
Joint resolutions.....	5
Senate bills passed but not sent to House.....	21

The state of the House Calendar is as follows :

House bills for 3d reading.....	126
“ “ 2d “	16
“ bills postponed for present.....	29
“ resolutions.....	18
Senate bills for 3d reading.....	22
“ “ 2d “	22
“ “ 1st “	19
“ bills postponed for present.....	1
“ resolutions.....	5
Bills in hands of Finance Committee.....	6
Bills in hands of Judiciary Committee.....	36

Of the bills before the House, about three-fourths are local bills, and those in the hands of committees are of an important character, which will require deliberate examination. The committee however, are unanimously of opinion that by diligent attention to business, all matter now before the Legislature can be disposed of by February the 14th instant, and they recommend the adoption of the following resolution :

Resolved, That the present session of the General Assembly be extended beyond the time prescribed by the Constitution of the State, and that it do adjourn *sine die* at 12 o'clock M., on Friday next, the 14th instant.

B. B. MOORE,

C. H. SMITH,

Senate Committee.

BARNES, of Richmond,

GREEN, of Cobb,

RIDLEY, of Troup,

House Committee.

Mr. THORNTON, from the special committee to whom was referred a bill to be entitled an act to require parties plaintiff in all suits hereafter commenced to pay costs thereon, and to prescribe the amounts of said costs and the mode of recovering the same, and for other purposes, have had the same under consideration, and beg leave to report. The majority

of the committee recommend the passage of the bill with the following amendments:

To strike out of the first section all after the words "final judgment thereon."

To strike out of the caption the words "and to prescribe the amounts of said costs."

Agreed to.

B. A. THORNTON,

Chairman Special Committee.

On motion, the rules were suspended, and the Senate took up the resolution reported by the joint committee, to examine into the business now before the General Assembly, and a constitutional majority being required upon the adoption of the same, the yeas and nays were required to be recorded, and are yeas 30, nays 8.

Those voting in the affirmative are Messrs.

Barwick,	Griffin,	Quillian,
Beall, O. P	Johnson, J. A. W	Redding,
Bedford,	Johnson, J. F.	Russell,
Blount,	Manson,	Simmons,
Bower,	McDaniel,	Smith, O. L.
Brown,	Mims,	Strickland,
Carter,	Moore,	Strozier,
Daley,	Overstreet,	Thornton,
Ezzard,	Parris,	Turner,
Freeman,	Patterson,	Wilcox.

Those voting in the negative are Messrs.

Black,	England,	Owens,
Butler,	Fuller,	VanDuzer.
Dickey,	Gresham,	

Yeas 30; nays 8. So the resolution was agreed to by a constitutional majority.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Savings Bank of Forsyth.

The Committee on Banks, to whom this bill had been referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time, and a constitutional majority being required to pass the same, the yeas and nays were required to be recorded, and are yeas 31, nays 3.

Those voting in the affirmative are Messrs.

Barwick,	Brown,	Freeman,
Beall, O. P	Butler,	Fuller,
Bedford,	Carter,	Gresham,
Black,	Daley,	Johnson, J. A. W
Blount,	Dickey,	Kenan,
Bower,	Ezzard,	McDaniel,

Moore,	Quillian,	Smith, O. L.
Owens,	Russell,	Strickland,
Parris,	Simmons,	Thornton,
Patterson,	Smith, C. H.	VanDuzer,
		Wilcox.

Those voting in the negative are Messrs.

England,	Griffin,	Redding.
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Yeas 31 ; nays 3. So the bill was passed by a constitutional majority.

On motion, the rules were suspended, and Mr. PARRIS introduced a bill in relation to the New Orleans, Mobile & Chattanooga Railroad Company, which was read the first time.

The rules being further suspended, the Senate took up the report of the Committee of the Whole on the bill of the House of Representatives for the relief of J. J. Anderson, an employee upon the Western & Atlantic Railroad in the year 1859.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Lewis Manufacturing Company.

The Committee on Internal Improvements, to whom this bill was referred, proposed to amend the same by striking out the word "perpetual" in the seventh line of the first section ; also, by striking out of the third section all after the word "corporation," in the eleventh line, to the word "which" in the fourteenth line ; and by striking out the words "the whole" in the sixteenth line, and inserting the word "said" ; by striking out the words "including the estate of said John W Lewis" in the eighteenth line ; and by striking out all of said section after the word "companies" in the twenty-fourth line ; also, by striking out the fourth section and inserting the following in lieu thereof :

"The capital stock of said company shall be two hundred thousand dollars, which may be increased to five hundred thousand dollars, including the value of the real estate, which shall be considered as capital ; and said capital stock shall be subject to taxation as other corporate property in the State" ; and with these amendments, the committee recommend the passage of the bill.

On motion, the amendments were agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend an act entitled an act to incorporate the Baptist Church of Christ, at Macon, and to appoint trustees for the same, approved December 3d, 1851.

The report of the committee was agreed to, the bill was and was read the third time and passed.

On motion, the rules were suspended, and Mr. EZZARD reported the following resolution, to-wit:

Resolved by the Senate and House of Representatives, That in order to test the wishes of the people on the subject of the abolition of the County Courts, organized under the act of March, 1866, the voters at the next general election for Senators and Representatives in the next Legislature, be requested to endorse on their ballots the words "Court" or no "County Court," and that the superintendents of said election keep a tally sheet, showing the number of votes polled for and against the abolishing of said court, and report the same with the returns of said election.

On motion, the rules were suspended, and the resolution was taken up, and upon agreeing to the same the yeas and nays were required to be recorded, and are yeas 16, nays 19.

Those voting in the affirmative are Messrs.

Bedford,	England,	Manson,
Black,	Ezzard,	Parris,
Blount,	Freeman,	Patterson,
Bower,	Griffin,	Quillian,
Daley,	Johnson, J. A. W	Strickland,
		Wilcox.

Those voting in the negative are Messrs.

Barwick,	Fuller,	Russell,
Beall, O. P.	Gresham,	Smith, C. H.
Brown,	Johnson, J. F	Smith, O. L.
Butler,	McDaniel,	Strozier,
Carter,	Mims,	Thornton,
Dickey,	Redding,	Turner,
		VanDuzer.

Yeas 16; nays 19. So the resolution was disagreed to.

The Senate took up the report of the Committee of the Whole on the bill to encourage telegraphic communication between the State of Georgia and the Bahamas and West India Islands.

The Committee on Internal Improvements, to whom this bill was referred, proposed to amend by inserting the word "the" after the word "that," and the words "said corporation" after the word "composing," in the fourth line, and by striking out the word "twenty," in the seventh line, and inserting "thirty."

Also, to amend the second section by inserting the words "said corporation" after the word "composing," in the second line, and by inserting after the word "line," in the eighth line, the words, "with the assent of the owners of such line," and by inserting the words "said corporation" after the word "the," in the seventeenth line; and, with these amendments, they recommend the passage of the bill.

On motion, the amendments were agreed to.

Mr. STROZIER moved to strike out the word "exclusive" wherever it occurs, which motion was lost.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and the Senate took up the report of the Committee of the Whole on the bill of the House of Representatives for the relief of Miley E. Tuck, former wife of Seaborn G. Tuck, of Walton county, Georgia.

The Committee on the Judiciary, to whom this bill was referred, recommend that the same do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to extend the aid of the State to the completion of the Air-Line Railroad, and for other purposes.

On motion, the bill was laid on the table for the balance of the session.

The Senate took up the report of the Committee of the Whole on the bill to repeal section 2194 of the Code.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to require costs to be paid in advance, and to prescribe the amounts, etc.

The Special Committee, to whom this bill was referred, propose to amend by striking out of the first section all after the words "final judgment thereon."

Also, to strike out of the caption the words, "and to prescribe the amounts of said costs."

On motion, the amendments were agreed to.

The report of the committee, as amended, was agreed to.

Mr. STROZIER moved that the bill be recommitted, which motion was lost.

Mr. CARTER moved to postpone the bill indefinitely, which motion was lost.

The question then recurred upon the passage of the bill, pending the consideration of which, the Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

THE SENATE met pursuant to adjournment, and resumed the unfinished business of the morning, which was the consideration of the report of the Committee of the Whole on the bill to require costs to be paid in advance, and to prescribe the amounts, etc.

On motion, the further consideration of the same was postponed until to-morrow.

The Senate took up the report of the Committee of the Whole on the bill for the relief of administrators, executors, guardians and trustees, and of their estates.

The Committee on the Judiciary to whom this bill was referred, reported in favor of its passage.

On motion, the bill was taken up by sections.

Mr. STROZIER moved to amend the first section by adding after the word "trustee," in the second line, the words "attorney at law or sheriff."

Mr. GRESHAM moved to lay the bill and amendment on the table for the present, which motion was lost.

Mr. C. H. SMITH moved to amend by inserting after the word "trustees," in the caption, the words "and other persons therein named;" also, to strike out all after the enacting clause and insert the following in lieu thereof, to-wit:

"That in all cases where, during the late war, administrators, executors, guardians, trustees, attorneys or ministerial officers of the courts in good faith received or invested in bank notes, either with or without an order of court, and which securities or investments were lost or become valueless in whole or in part, without fault on their part, such administrator, executor, guardian, trustee, attorney at law, or ministerial officer of the court, shall be allowed to make proof before the proper tribunal of his good faith and conduct, and all the surrounding circumstances touching the receipt or investment in said securities; and it shall be lawful for said tribunal, when satisfied that the securities were received or invested in good faith and with reasonable discretion and prudence, to relieve such person or persons from liability for the amount so lost or rendered valueless."

On motion, the amendment was agreed to.

Mr. STROZIER moved to amend the amendment by inserting after the words bank notes the following, "or in negroes or other property which, by the result of the war, became valueless."

Mr. BUTLER moved to amend the same by striking out the words "attorneys or ministerial officers of court."

Mr. OWENS reported the following as a substitute, in lieu

of the original bill and amendments, which was disagreed to, to-wit :

Whereas, by reason of the non-distribution of the laws of Georgia, passed during the late war, many persons were in ignorance of the existing laws in relation to the mode in which executors, administrators, guardians or trustees were authorized to invest the funds of the estates they represented in Confederate and State securities, and have made such investments in violation of the law ; for remedy whereof,

Be it enacted, That whenever it shall be made to appear to a court of competent jurisdiction that any executor, administrator, guardian or trustee, has made investments of the funds in his hands in Confederate or State securities, in good faith, but without the order of court required by the law, such investments shall be held as good and valid as if the same had been done under order ; provided the proper returns of such investments have been made to the Ordinary, as required by law, unless said returns were prevented by causes beyond the control of the said executor, administrator or trustee.

All laws and parts of laws militating against this act, be and the same are hereby repealed.

The amendment reported by Mr. Butler was disagreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed, under the following title, to-wit :

A bill for the relief of administrators, guardians, trustees, and other persons therein named.

The Senate took up the message of the House of Representatives in relation to the bill of the Senate to amend the law in regard to effecting service of bills in equity, to marshal the assets of estates of deceased persons, which the House of Representatives had proposed certain amendments.

On motion, the Senate adhered to their disagreement to the amendments of the House of Representatives.

The Senate took up the message of the House of Representatives in reference to the bill to alter the time of holding the County Court in the county of Stewart, to which the House of Representatives had proposed the following as an additional section, to-wit :

SEC. 2. *Be it further enacted*, That the semi-annual session of the County Court of Schley county be changed from the fourth Monday in August to the fourth Monday in July.

On motion, the amendment was concurred in.

The Senate took up the message of the House of Representatives in reference to the resolution of the Senate in reference to the appointment of a committee to examine and report upon a Revised Code to be prepared by Samuel C.

Elam, which the House of Representatives had passed with the following amendments, to-wit :

Provided, that nothing herein contained shall be so construed as to bind the State even by implication to subscribe for said book.

Also, provided further, that said book is now ready for examination.

On motion, the amendments were concurred in.

The Senate took up the message of the House of Representatives in reference to the bill of the Senate to repeal the fifth section of an act entitled an act to repeal an act entitled an act to extend the civil jurisdiction of the Justices of the Peace in the city of Savannah, and to compel Justices of the Peace and Constables of country districts in the county of Chatham to be residents of the districts of which they are elected, assented to the 21st day of December, 1835, so far as the civil jurisdiction of the Justices of the Peace for the first, second, third and fourth districts Georgia Militia, in the city of Savannah, are concerned, and to establish rates of fees of magistrates and constables in the city of Savannah, approved February 17th, 1854, which the House of Representatives had passed with the following amendment, to-wit :

Provided, that nothing in this act contained shall be so construed as to prevent the Justices of the Inferior Court from paying, in their discretion, any bills for insolvent costs in cases of felony.

On motion, the amendment was concurred in.

On motion, the rules were suspended and the following bills were introduced and read the first time, to-wit :

By Mr. THORNTON—

A bill to regulate the manner in which the Penitentiary shall be managed, and to provide for farming out the same.

By Mr. CARTER—

A bill to change section 3543 of the Code of Georgia.

Mr. C. H. SMITH reported the following resolution :

Resolved, That the Secretary be directed to transmit all bills and resolutions, as they pass the Senate, immediately to the House of Representatives, unless notice of a motion to reconsider be given at the time the same may pass.

On motion, the rules were suspended, and the resolution was taken up, read and agreed to.

The Senate took up the report of the Committee of the Whole on the reconsidered bill to make valid and legal the tax levied by the Justices of the Inferior Court of Randolph county for county purposes, for the year 1866.

Mr. O. P. BEALL reported the following as a substitute, o-wit:

A BILL

To be entitled An Act to make valid the tax levied by the Inferior Court of Randolph county, for county purposes, for the year 1866.

Whereas, The Inferior Court of Randolph incurred heavy liabilities in arresting the small pox in said county, in addition to the ordinary expenses of said county, besides a large indebtedness existing against said county, and for the payment of which they levied an extra tax; and whereas, some doubt exists as to the legality of said tax; to the end therefore,

Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, That all the tax levied and assessed by the Inferior Court for the year 1866, for the county of Randolph, whether with or without the recommendation of the grand jury, be, and the same is hereby declared as legal as if the same had been levied in strict conformity to law.

And be it further enacted, That all laws and parts of laws militating against this act, be, and they are hereby repealed.

On motion, the substitute was adopted in lieu of the original.

The report of the committee as amended was agreed to, the bill was read the third time and passed under the title thereof.

On motion, the Senate adjourned until to-morrow morning at 9½ o'clock.

SATURDAY, December 8th, 1866.

The Senate met pursuant to adjournment, and was opened by prayer from the Rev. Mr. BROOKS.

Mr. EZZARD moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the resolution to test the wishes of the people on the subject of the abolition of the County Courts, by endorsing on their ballots at the next general election the words "Court," or "no County Court," which motion was lost.

Mr. REDDING moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the

amendments proposed by the House of Representatives to the joint resolution to appoint a committee to examine and report upon a Revised Code to be prepared by Samuel C. Elam, Esq., which motion prevailed.

On motion of Mr. McDANIEL, the Senate, by a unanimous vote, reinstated and reconsidered the bill to extend the aid of the State to the completion of the Griffin & North Alabama Railroad, the same having been indefinitely postponed on the fourth instant through misapprehension.

On motion, the same was taken up.

The Committee on Internal Improvements, to whom this bill was referred, proposed to amend the first section thereof by striking out the word "nine," in the seventh line, and inserting the word "ten," and by inserting after the word "completed," in the ninth line, the words "fully equipped;" also, by striking out the word "twenty," in the tenth line, and inserting "fifty;" also, by inserting after the word "completed," in the thirteenth line, the words "fully equipped;" also, to amend the second section by inserting after the word "finished," in the fourth line, the words "fully equipped," and by adding at the close of said section the words, "the said bonds so endorsed shall not be sold or disposed of at a less rate than ninety cents in the dollar."

On motion, the amendments were agreed to.

Mr. McDANIEL moved to amend by adding the following as an additional section, which was agreed to, to-wit:

"SECTION —. That for the further protection of the State, the said company shall set apart annually an amount equal to two per cent. of the bonds endorsed by the State as a sinking fund, which amount shall be invested in bonds of the State of Georgia, to be deposited in the State Treasury, and held by the State as trustee for said company, and to be used in the redemption of the bonds so endorsed by the State."

The report of the committee, as amended, was agreed to, the bill was read the third time, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are yeas 21, nays 13.

Those voting in the affirmative are Messrs.

Barwick,	Ezzard,	Quillian,
Beall, O. P.	Freeman,	Russell,
Bedford,	Gresham,	Smith, C. H.
Blount,	Johnson, J. F.	Smith, O. L.
Brown,	Kenan,	Strickland,
Carter,	McDaniel,	Thornton,
Crawford,	Parris,	Turner.

Those voting in the negative are Messrs.

Black,	Fuller,	Owens,
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Butler,
Daley,
England,

Griffin,
Johnson, J A. W
Manson,

Patterson,
Redding,
VanDuzer.
Wilcox.

Yeas 21 ; nays 13. So the bill was passed.

Mr. SMITH, Chairman of the Committee on Enrollment, reported as duly enrolled and signed by the Speaker of the House of Representatives and ready for the signature of the President of the Senate, the following Acts, to-wit :

An act to enable owners of mines to draw water from branches, or other head waters, through intervening lands.

Also, an act to consolidate the offices of the clerk of the Superior Court and Inferior Court in and for the counties of Henry, Dougherty, Clayton and Twiggs.

Also, an act to incorporate the Moss-gill Manufacturing Company of Baldwin county.

Also, an act to extend the aid of the State to the completion of the Air Line Railroad, and for other purposes.

Also, an act to incorporate the Hawkinsville Manufacturing Company of Pulaski county, Georgia.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof :

Mr. President : The House of Representatives have passed the following bills :

A bill for raising a revenue for the political year eighteen hundred and sixty-seven, and to appropriate money for the support of the government during said year, and to make certain special appropriations, and for other purposes therein mentioned.

A bill to amend the Penal Code.

A bill to authorize bailiffs to summon grand and petit jurors in certain cases, and for other purposes.

A bill to authorize the County Judge of Chatham county to take the list of persons subject to jury duty from the Receiver's Digest of Taxes made in the year 1866, the City Registry ; and to put such persons in the jury box who are subject to jury duty, and who are not on the Digest or City Registry ; to throw out the present jury tickets, and to make new ones and place them in the box, and for other purposes.

A bill to amend an act entitled an act to define and regulate court contracts, and to prescribe the manner of enforcing the same in the County Courts, approved 17th of March, 1866.

A bill to change the line between the counties of Quitman and Stewart, so as to include the residence of William I. Brown, of the county of Stewart, within the limits of the county of Quitman.

A bill to amend an act to extend the corporate limits of the town of Hamilton, Harris county, and to create and give additional powers to the corporate authority of said town, assented to December 19th, 1859.

A bill to amend the 1971st and 1973d sections of the Code of Georgia.

A bill to define and regulate the laws governing the twelve months allowance for the support of widows and children.

A bill to regulate the fees of Justices of the Peace in certain cases therein specified.

A bill to incorporate the Georgia Company for mining, and other purposes.

• A bill to incorporate the Villa Rica Mining Company.

The House of Representatives have also, by a constitutional majority—ayes 120, noes 9—concurred in the joint resolution from the Senate in reference to an adjournment of the General Assembly, *sine die*, on Friday, the 14th instant.

They have passed the following bill of the Senate:

A bill approving the consolidation of the "Dalton & Jacksonville Railroad Company" and the "Georgia & Alabama Railroad Company," of the State of Georgia, with the "Alabama & Tennessee River Railroad Company," of the State of Alabama, and to authorize the consolidated company to adopt a corporate name and charter, and act under the same.

They have also concurred in the resolution of the Senate relating to repairs of the State House.

The following message was received from his Excellency, the Governor, through Mr. Hunter, his Secretary, to-wit:

Mr. President: The Governor has approved and signed the following acts, viz:

An act to change section 2500 of the Code of Georgia.

An act to prevent the destruction of fish in times of low water in the county of Emanuel, and to punish the same.

An act to amend an act incorporating the city of Bainbridge, in the county of Decatur, and the acts amendtory thereof.

Mr. O. L. SMITH, from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President of the Senate, and Speaker of the House of Representatives, the following, to-wit:

An act for the relief of the people of Georgia, and to prevent the levy and sale of property under certain circumstances.

On motion, the rules were suspended, and the Senate took up the resolution of the House of Representatives in refer-

ence to authorizing the Secretary of State to employ a clerk in his office for the year 1867.

On motion, the resolution was concurred in.

On motion, the rules were suspended, and Mr. OWENS reported the following resolution :

Whereas, among the bonds of the State now outstanding, are certain bonds dated in 1838, and due in 1868, and made payable in sterling in the city of London, on which the coupons now due have only been estimated at their par value in currency in the act authorizing the issue of new bonds for such coupons ; and whereas, it is the intention of the General Assembly that the holders of said bonds should be paid the full value of the coupons in the issue of new bonds for the same. Therefore, be it

Resolved, That in issuing new bonds for the coupons now due in the sterling bonds issued in 1838, and due in 1868, his Excellency, the Governor, be, and he is hereby authorized to incorporate the value of said coupons in sterling, in the amount of said bonds so to be issued.

On motion, the rules were suspended, and the resolution was taken up, read and agreed to.

On motion, the rules were suspended, and the Senate took up the resolution requesting the Governor to pardon John McMahon, a convict in the Penitentiary.

Mr. J. F. JOHNSON moved to amend by striking out the words "that his Excellency, the Governor, be, and he is hereby requested to pardon," and to insert the words "be pardoned and."

On motion, the resolution was referred to the Committee on the Judiciary.

The Senate resumed the further consideration of the bill postponed until to-day, to require costs to be paid in advance, and to prescribe the amounts, etc., to which the report of the committee, as amended, had been agreed to.

Mr. J. A. W. JOHNSON called for the previous question, which was sustained, and the main question was ordered to be put, which was on the passage of the bill ; and upon the question, "Shall this bill now pass ?" the yeas and nays were required to be recorded, and are yeas 10, nays 27.

Those voting in the affirmative, are Messrs.

Barwick,	Russell,	Thornton,
Black,	Smith, O. L.	VanDuzer,
Kenan,	Strickland,	Wilcox.
McDaniel,		

Those voting in the negative are Messrs.

Bedford,	England,	Owens,
Blount,	Ezzard,	Parris,

Bower,	Freeman,	Patterson,
Brown,	Fuller,	Quillian,
Butler,	Griffin,	Redding,
Carter,	Gresham,	Simmons,
Crawford,	Johnson, J. A. W	Smith, C. H.
Daley,	Johnson, J. F.	Strozier,
Dickey,	Manson,	Turner.

Yeas 10 ; nays 27 So the bill was lost.

On motion, the rules were suspended, and the following bill was read the second time, and referred to the Committee on Internal Improvements, to-wit :

A bill in relation to the New Orleans, Mobile & Chattanooga Railroad Company.

On motion of Mr. BUTLER the session was prolonged for one hour.

The following bill was read the second time, to-wit :

A bill to authorize the Inferior Court of Richmond county to levy and collect an extra tax for the year 1867.

The following bill was read the second time and referred to the Committee on Internal Improvements, to-wit :

A bill to incorporate the Iron Mining Company of Dade county, Georgia.

The following bill was read the second time and referred to the Committee on Banks, to-wit :

A bill to incorporate the National Loan and Banking Association.

The following bills were read the second time and referred to the Committee on the Judiciary, to-wit :

A bill to repeal the oath prescribed in the 1377th paragraph of the Revised Code of Georgia, to be taken by retailers of spirituous liquors.

A bill to regulate the manner in which the Penitentiary shall be managed, and to provide for farming out the same.

A bill to compel persons holding claims against the State entered into, or arising at any time from 1st January, 1861, to 25th June, 1866, passed upon by the Court.

A bill to authorize Banner Thomas, of Pierce county, guardian of William Gye, to deliver to his ward the property and effects in his possession as guardian, belonging to him, and to relieve said guardian from all liability, pains and penalties for so doing.

A bill to change section 3543 of the Code of Georgia.

The Senate took up the report of the Committee of the Whole on the bill to increase the fees of the Clerk of the Superior Court and Sheriff of Baldwin county.

Mr. KENAN moved to amend the 1st section by inserting

the word "Ordinary" after "Superior Court," in the 5th line of said section.

Also, to add to the 1st section the following: "and the fees of the Ordinary for any instrument of writing not mentioned in the fee bill, and for certificate and seal, shall be the same as those given to the Clerk of the Superior Court of said county for similar services.

On motion, the amendments were agreed to.

The report of the committee, as amended was agreed to, the bill was read the third time and passed, under the following title, to-wit:

A bill to increase the fees of the Clerk of the Superior Court, Sheriff and Ordinary of Baldwin county.

The following bill of the House of Representatives was read the first time, to-wit:

A bill for raising a revenue for the political year 1867, and to appropriate money for the support of the government during said year, and to make certain special appropriations, and for other purposes therein mentioned.

On motion, 50 copies of the same were ordered to be printed for the use of the Senate.

On motion, the rules were suspended, and Mr. J. F. JOHNSON introduced

A bill for the pardon of John McMahon, of the county of Fulton, now confined in the Penitentiary for life, which was read the first time.

Leave of absence was granted to the Senator from the 28th District, after Tuesday next, for the balance of the session; also, to the Senator from the 4th District, on and after Tuesday next.

On motion, the Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment, and took up the report of the Committee of the Whole on the bill of the House of Representatives to reorganize the Fire Department of the city of Savannah.

The Committee on the Judiciary, to whom this bill was referred, reported adversely to its passage.

Mr. OWENS submitted sundry memorials from the citizens of Savannah in reference to the subject matter contained in the bill, which were severally read.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to add fractional lots of land Nos. 224, 225 and 256, in the thirteenth district of originally Lee to the county of Terrell.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives for the relief of certain persons therein named.

The Judiciary Committee, to whom this bill was referred, reported the same back to the Senate, and proposed to strike out the first section, and insert the following in lieu thereof, to-wit :

"Be it therefore enacted by the General Assembly of Georgia, That said Robert T. Bridges, John Sansom and Joseph Glenn shall be relieved from all pains and penalties in consequence of said killing, and shall be discharged from further attendance upon said case on obtaining the written consent of Wesley Rhodes, the prosecutor, and the recommendation of the grand jury of Catoosa county, and on presenting such consent and recommendation, the Judge of the Superior Court of said county of Catoosa is required to enter on the minutes of said Court an order discharging them as afore-said": and with this amendment they recommend the passage of the bill.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bill, which I am instructed to transmit forthwith to this branch of the General Assembly :

A bill to levy and collect a tax for the support of the government for the year 1867, and for other purposes.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to change the time of holding the Superior Courts of the county of Spalding, and for other purposes therein named.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to appoint a day for the holding of elections by the General Assembly.

The Committee on the Judiciary, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to define the residence of corporations and to perfect service on the same.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to enforce the observance of the Lord's day.

The Committee on the Judiciary, to whom this bill was referred, reported adversely to the passage of the same.

Mr. BEDFORD moved to postpone the same indefinitely—

Whereupon the yeas and nays were required to be recorded, and are yeas 14, nays 14.

Those voting in the affirmative are Messrs.

Barwick,	Johnson, J. F.	Simmons,
Bedford,	Kenan,	Smith, C. H.
Carter,	Owens,	Strickland,
England,	Patterson,	VanDuser.
Fuller,	Russell,	

Those voting in the negative are Messrs.

Beall, O. P.	Dickey,	Parris,
Black,	Ezzard,	Quillian,
Blount,	Freeman,	Redding,
Brown,	Johnson, J. A. W	Wilcox.
Butler,	McDaniel,	

Yeas 14; nays 14. There being a tie vote, the presiding officer voted in the negative, and the motion was lost.

Mr. KENAN moved to amend by adding the following: "And that no man shall be allowed to kiss his wife on the Sabbath day"; which was disagreed to.

Mr. J. F. JOHNSON moved to amend by adding the following as an additional section, to-wit:

"*Be it further enacted*, That this act shall not be in force until six months after its passage."

Mr. KENAN moved to amend the amendment by striking out "six months" and insert "twelve months"; which was disagreed to.

Mr. MCDANIEL moved to amend by striking out "six months" and insert "three months"; which was disagreed to.

On motion, the amendment reported by Mr. J. F. JOHNSON was agreed to.

Mr. O. P. BEALL moved to amend by adding the following proviso, to-wit :

"Provided that nothing herein shall be so construed as to prevent the running of cars on the Sabbath day before 7 o'clock, A. M., and after 5 o'clock, P. M."

Which motion was agreed to.

Mr. REDDING moved to amend by adding the following as an additional section, which was agreed to, to-wit :

"*And be it further enacted*, That the provisions of this bill shall not apply to any steamboat or cars carrying the United States mail, or that have been providentially detained."

Mr. OWENS reported the following as an additional section, to-wit :

"*Be it further enacted*, That no person shall be permitted to require any work to be done, of any description, either household or otherwise, by any servant, on Sunday; nor shall any one be allowed to use either horses, mules or oxen for any purpose whatsoever on that day, under penalty of being guilty of a misdemeanor, and on conviction shall be fined in the sum of one thousand dollars."

On motion, the amendment was disagreed to.

The report of the committee as amended was agreed to, the bill was read the third time, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are yeas 13, nays 15.

Those voting in the affirmative are Messrs.

Beall, O. P.	Ezzard,	Patterson,
Black,	Manson,	Quillian,
Brown,	McDaniel,	Redding,
Butler,	Parris,	Wilcox.
Dickey,		

Those voting in the negative are Messrs.

Barwick,	Freeman,	Russell,
Bedford,	Fuller,	Simmons,
Blount,	Johnson, J. F.,	Smith, C. H.,
Carter,	Kenan,	Strickland,
England,	Owens,	VanDuzer.

Yeas 13; nays 15. So the bill was lost.

Mr. O. L. SMITH, chairman of the Committee on Enrollment, reported as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following acts and resolution, to-wit :

An act for the relief of J. J. Anderson, an employee upon the Western & Atlantic Railroad in the year 1859.

Also, an act for the relief of Miley E. Tuck, former wife of Seaborn G. Tuck, of Walton county, Georgia.

Also, a resolution authorizing the Secretary of State to employ a clerk in his office for the year 1867.

Leave of absence was granted to the Senator from the 43d senatorial district for the balance of the session after Monday next, on account of special and legal business.

Mr. REDDING moved that the Senate adjourn until 7 o'clock, P. M., which motion was lost.

On motion of Mr. KENAN, the session was prolonged for half an hour.

The following bill of the House of Representatives was read the second time, to-wit:

A bill to relieve Frederick Cox and Harrison Rogers.

The following bills of the House of Representatives were severally read the first time, to-wit:

A bill to incorporate the Georgia Company for mining and other purposes.

A bill to declare in full force an act entitled an act to incorporate the town of Dahlonega, in the county of Lumpkin, assented to December 11th, 1858, and an act amendatory thereof, assented to December 10th, 1859, and for other purposes.

A bill to amend the Penal Code.

A bill to incorporate the Villa Rica Mining Company.

A bill to change the time of holding the County Court of Clay county.

A bill to amend an act entitled an act to define and regulate court contracts, and to prescribe the manner of enforcing the same in the County Courts, approved March 17th, 1866.

A bill to alter and change the time of holding the Superior Courts in the counties of the Blue Ridge Circuit of this State.

A bill concerning the advertisement of sheriffs.

A bill to regulate the fees of Justices of the Peace in certain cases therein specified.

A bill to amend the 1971st and the 1973d sections of the Code of Georgia.

A bill to define and regulate the laws governing the twelve months' allowance for the support of widows and children.

A bill to amend an act entitled an act to incorporate Cotton Hill Male and Female Seminary, in the village of Cotton Hill, Clay county, and to appoint trustees for the same, approved March 6th, 1856.

A bill to make legal the sale of the Bainbridge Academy lot, and for other purposes.

A bill to authorize the appointment of vendue masters in

the several corporate towns and cities in this State, approved 21st February, 1866.

A bill to point out the mode of paying the fees of the Solicitor General of the Eastern Judicial District of Georgia, in Chatham county, in certain cases, and for other purposes therein enumerated.

A bill to extend the corporate limits of the town of Hamilton, Harris county, and to create and give additional powers to the corporate authorities of said town, assented to December 19th, 1859.

A bill to relieve the estate of John C. Dumas, late of Jones county, deceased.

A bill to change the line between the counties of Quitman and Stewart, so as to include the residence of William J. Brown within the county of Quitman.

A bill to amend an act entitled an act to incorporate the town of Valdosta, in the county of Lowndes, for the election of Mayor, Councilmen and Marshal for the same, passed the 7th of December, 1860.

A bill to authorize bailiffs to summons grand and petit jurors in certain cases, and for other purposes.

A bill for the relief of Geo. W. Puckett, of the county of Cherokee.

A bill to authorize the County Judge of Chatham county to take the list of persons subject to jury duty from the Receiver's Digest of taxes made in the year 1866, the city registry, and to put such persons in the jury box who are subject to jury duty, who are not on the digest or city registry; to throw out the present jury tickets, and to make new ones and place them in the box, and for other purposes.

A bill to change the line between the counties of Carroll and Heard, so as to include the residence of Michael C. Sumerlin, of the county of Heard, within the county of Carroll.

The following bills of the House of Representatives were severally read the second time and referred to the Committee on Internal Improvements, to-wit:

A bill incorporating the Island Manufacturing Company, in the county of Bartow, on the Etowah river.

A bill to incorporate the Van Wert Quarrying and Mining Company.

A bill to aid, by endorsement of the State, the bonds of the Muscogee Railroad Company, in order to enable said company to effect a connection with Barnesville.

The following bills of the House of Representatives were read the second time and severally referred to the Committee on New Counties and County Lines, to-wit:

A bill to add lot of land number eighty-four, in the fifteenth district of the county of Wilcox, to the county of Pulaski.

A bill to change the line between the counties of Catoosa and Walker.

The following bills of the House of Representatives were severally read the second time and referred to the Committee on the Judiciary, to-wit :

A bill allowing executors and administrators of other States and Territories of the United States to qualify and act as such executors and administrators in this State in certain cases.

A bill to amend the 2133d section of the Code of Georgia.

A bill to alter and amend section 1815 of the Revised Code.

A bill for the relief of E. B. Loyless, of Webster county.

A bill to relieve Helen Lapham, formerly Helen Chaffin, and Mary Ann Drakeford, formerly Mary Ann Terry, from the legal disability to contract the marriage relation, and of all penalties for having contracted the same.

A bill to amend an act incorporating the Southern Insurance and Trust Company, passed December 17th, 1861.

A bill to amend section 3883 of the Code of Georgia.

A bill to declare the effect of second section of an ordinance passed by the convention November 8th, 1865, to make valid private contracts entered into and executed during the war against the United States, and to authorize the courts of this State to adjust equities, etc.

A bill to fix the times of holding the Supreme Court, and to regulate proceedings.

The following bills of the House of Representatives were severally read the second time, to-wit :

A bill to incorporate the Grand Lodge of the Order of the Knights of Jericho of the State of Georgia.

A bill to make valid the issuing of 'scrip by the Inferior Court of the county of Lowndes to build a jail.

A bill to amend the charter of the City of Brunswick.

A bill to amend the charter of Athens Fire Company, No. 1.

A bill to repeal an act entitled an act to amend the several acts regulating roads in this State, so far as respects the operation of said acts in the counties of Bryan, Liberty, McIntosh, Glynn, Camden and Wayne, assented to December 8th, 1806, and an act to amend an act entitled an act to exempt certain persons of McIntosh county from road duty, and for other purposes therein named, "approved January

19th, 1852," so as to make the same general in its operation, so far as the county of McIntosh is concerned, assented to February 18th, 1854, and for other purposes.

A bill to revive and declare of force an act to incorporate the town of Waynesboro', in the county of Burke, assented to December 10th, 1812, and the several acts amendatory thereof; to amend said acts; to enlarge the powers of the commissioners of said town; to extend the corporate limits thereof; to declare valid the election of the present Board of Commissioners; to make legal all ordinances and by-laws adopted by them, and for other purposes therein mentioned.

A bill to incorporate the town of Senoid, in the county of Coweta, and to appoint commissioners and other officers of said town, and to confer certain powers on the commissioners thereof, and for other purposes therein mentioned.

Mr. THORNTON reported the following resolution:

Resolved, by the Senate and House of Representatives, That his Excellency, the Governor, is hereby requested and authorized to appoint and commission Col. Charlton H. Way, of Savannah a commissioner from the State of Georgia to the World's Fair, to be held in Paris in the year 1867, provided the State incurs no expense for the same.

On motion, the resolution was taken up.

Mr. OWENS moved to amend by adding the name of John H. Stoughton, of Augusta, which was agreed to.

The resolution, as amended, was agreed to.

On motion, the Senate adjourned until Monday morning at 10 o'clock. •

MONDAY, December 10th, 1866.

THE SENATE met pursuant to adjournment, and was opened by prayer from the Rev. Mr. BROWN, of the Senate.

Mr. MOORE moved to reconsider so much of the Journal of Saturday as relates to the action of the Senate on the bill to extend the aid of the State to the completion of the Griffin & North Alabama Railroad, which motion was lost.

Mr. BROWN moved to reconsider so much of the Journal of Saturday as relates to the action of the Senate on the bill to enforce the observance of the Lord's day.

Mr. BLOUNT called for the previous question, which was not sustained.

The motion to reconsider did not prevail.

Mr. O. L. SMITH, from the Committee on Enrollment reported as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following acts, to-wit :

An act to extend the provisions of an act, approved March 4th, 1856, entitled "An act to protect the citizens of Worth, Richmond and Clinch, Berrien and Bryan counties, from the injurious consequences of camp hunting by non-residents, to the county of Irwin."

An act to provide for the citizens of Twiggs county to settle the question of the removal of the county site from Marion, its present location, to Jeffersonville, in said county.

An act to amend section fifteen hundred and seventy-four of the Code of Georgia.

An act to amend the charter of the Kenesaw Mining Company of Georgia, and to change the name of the same.

An act to repeal so much of the first section of an act entitled an act to alter and amend the Penal Code of Georgia, passed March 12th, 1866, as relates to the 4248th section of the Code of Georgia.

An act to require executors and administrators to advertise the terms of their sale.

The following message was received from the House of Representatives through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills :

A bill to give landlords a lien upon the crops of tenants for stock, farming utensils and provisions furnished such tenants for the purpose of making their crop.

A bill to incorporate the Fulton Savings Bank.

A bill to legalize marriages by colored ordained ministers of the gospel, and also to authorize such colored ordained ministers or ministers of African descent to solemnize future marriages between freedmen and freedwomen of African descent only.

A bill to incorporate an insurance company in the city of Bainbridge, to be called the National Insurance Company.

A bill to incorporate the Atlanta Manufacturing and Mining Company.

A bill to incorporate the Atlanta Depository.

A bill to change the time of holding the Superior Court of the county.

A bill for the relief of Nancy E. Hancock.

A bill to authorize the Justices of the Inferior Court of

the county of Lowndes to issue bonds of said county to raise money to build a court house and jail in said county, and for other purposes therein mentioned.

They have passed the following bills of the Senate:

A bill to provide for the citizens of Twiggs county to settle the question of the removal of the county site from Marion, its present location, to Jeffersonville, in said county.

A bill to require executors and administrators to advertise the terms of their sales.

A bill to amend section 1574 of the Code of Georgia.

A bill to repeal so much of the first section of an act entitled an act to alter and amend the Penal Code of Georgia, passed March 12th, 1866, as relates to the 4248th section of the Code of Georgia.

A bill to incorporate the Memorial Association of Resaca, and to confirm the titles to land.

A bill to allow the redemption of real estate sold under execution, within a specified time.

A bill to amend "An Act to regulate the manner of convicts laboring upon public works, and to define the powers and duties of the Inferior Court and Governor of the State touching the same, and for other purposes therein mentioned," approved 20th March, 1866.

A bill to amend the charter of the Kenesaw Mining Company of Georgia, and to change the name of the same.

A bill to extend the provisions of an act approved March 4th, 1856, entitled an act to protect the citizens of the counties of Worth, Richmond, Clinch, Berrien and Bryan from the injurious consequences of camp-hunting by non-residents, to the county of Irwin.

They have passed the following bills of the Senate, with amendments thereto, in which they invite the concurrence of this branch of the General Assembly:

A bill to consolidate the offices of Clerk of the Superior and of the Inferior Courts of Elbert county.

A bill to educate the indigent maimed soldiers of Georgia, and to provide the necessary means for the same.

They have rejected the following bills of the Senate:

A bill to change the line between the counties of Twiggs and Wilkinson, and for other purposes.

A bill to add lot of land No. 231, in the 4th district, second section of Cherokee county, to the county of Pickens.

Mr. O. L. SMITH, from the Committee on Enrollment, reported as duly enrolled, and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following acts, to-wit:

An act to alter the time of holding the County Courts in the counties of Stewart and Schley.

An act to repeal the fifth section of an act entitled an act to repeal an act entitled an act to extend the civil jurisdiction of the Justices of the Peace in the city of Savannah, and to compel Justices of the Peace and Constables of County Districts in the county of Chatham, to be residents of the districts in which they are elected, assented to 21st day of December, 1855, so far as the civil jurisdiction of the Justice of the Peace for the first, second, third and fourth Districts Georgia Militia, in the city of Savannah, are concerned, and to establish rates of fees of Magistrates and Constables in the city of Savannah, approved February 17th, 1854.

An act approving the consolidation of the "Dalton & Jacksonville Railroad Company" and the "Georgia & Alabama Railroad Company," of the State of Georgia, with the Alabama & Tennessee River Railroad Company," of the State of Alabama, and to authorize the consolidated company adopt a corporate name and charter, and act under the same.

Also, the following resolutions, to-wit :

A resolution in reference to the adjournment of the General Assembly.

A resolution relating to the repairing of State House, and for other purposes.

The following message was received from his Excellency, the Governor, through Mr. Hunter, his Secretary, to-wit :

Mr. President: The Governor has approved and signed the following acts, to-wit :

An act to relinquish the contingent interest of the State of Georgia in that portion of land below the city of Macon, known as the State's Reserve; and to repeal the proviso to the first section and the second section of the "Act to vest that portion of land below the city of Macon known as the State's Reserve, in the corporate authorities of the city of Macon, approved March 6th, 1856.

An act to incorporate the Lumpkin Manufacturing Company.

An act to repeal an act, assented to 15th of December, 1862, in relation to an assessment of tax on cotton as merchandise.

An act to provide for an election by the citizens of McIntosh county to settle the question of the location of their county site.

Mr. CARTER reported the following resolution :

"*Resolved*, That for the remainder of this session, in the Senate, both in house and committee, the speakers in debate

shall be limited to ten minutes' time, unless by special leave of the Senate."

On motion, the rules were suspended, and the resolution was taken up.

Mr. MOORE moved to amend by striking out the words "ten minutes," and insert "five minutes," which was agreed to.

The resolution, as amended, was agreed to.

Mr. MOORE made the following report:

Mr. President: The Judiciary Committee to whom were referred certain bills, have had the same under consideration, and direct me to report thereon as follows:

A bill to repeal the oath prescribed in the 1377th paragraph of the Code of Georgia, to be taken by retailers of spirituous liquors: which they recommend do pass.

A bill to change section 3543 of the Code: which they recommend do pass.

A bill to authorize Banner Thomas, of Pierce county, guardian of William Gye, to deliver to his said ward the property and effects in his possession, as guardian, belonging to him, and to relieve said guardian from all liability, pains and penalties for so doing: which they recommend do pass.

A bill relative to insurance companies not chartered by the State of Georgia, but doing business therein: for which the committee report a substitute, entitled a bill to prescribe the terms upon which marine, fire, or life insurance companies, not incorporated by act of the General Assembly of Georgia, shall be permitted to transact business within this State, which substitute they recommend be passed in lieu of the original bill.

A bill to compel persons holding claims against the State entered into, or arising at any time from 1st January, 1861, to 25th June, 1866, passed upon by the Court: which they propose to amend by adding the following to the first section: "And when said Solicitor General has been served with a petition, as aforesaid, it shall be his duty to inform the Governor of such claim, who may, if he thinks it necessary, employ other counsel to assist the Solicitor." The committee propose to amend further by adding the following section, to-wit:

"And be it further enacted, That the evidence submitted in said trial shall be taken by interrogatories, under the rules and regulations prescribed for interrogatories in other cases; and, after the trial, a certified copy of said evidence, verdict and judgment shall be furnished the claimant, sealed up under the hand and seal of said clerk, and may by him (without breaking the seal of said clerk,) be laid before the

Legislature for their action ; but they shall not act upon any of the aforesaid claims without first proceeding under this act ;” and, being thus amended, they recommend the bill be passed.

A bill to relieve Helen Lapham, formerly Helen Chaffin, and Mary Ann Drakeford, formerly Mary Ann Terry, from the legal disability to contract the marriage relation, and of all penalties for having contracted the same: which they recommend do pass.

A bill to alter and amend section 1815 of the Revised Code: which they recommend do pass.

A bill allowing executors and administrators of other States and Territories of the United States to qualify and act as such executors and administrators in this State in certain cases: which they recommend do pass.

A bill to amend section 2133 of the Code of Georgia: which they recommend do pass.

A bill for the relief of E. B. Loyless, of Webster county, which they recommend do pass with an amendment, striking out the second and third sections, and inserting in lieu thereof the following proviso to the first section: “Provided, he redeems said bills at their par value in currency before conviction.”

A bill to declare the effect of the second section of an ordinance, passed by the Convention, November 8th, 1865, to make valid private contracts entered into and executed during the war against the United States, and to authorize the courts of this State to adjust equities, etc.: which they recommend do pass.

A bill to amend section 3883 of the Code of Georgia: which they recommend do pass.

A bill to fix the times of holding the Supreme Court, and to regulate proceedings therein: which they recommend do pass with an amendment, inserting after “Columbus,” in the sixth line of third section, the following words: “and in the Southern Recorder and Federal Union at Milledgeville.”

A bill to amend an act incorporating the Southern Insurance and Trust Company, passed December 17th, 1861: which they recommend do pass.

B. B. MOORE,
Chairman.

The Senate took up the report of the Committee of the Whole on the bill to so far modify the laws against lotteries as to allow Elihu P. Watkins, of the city of Atlanta and State of Georgia, and Sarah Doles, widow of General George Doles, Mary Ann Williams, widow of General Charles J. Williams, Mrs. Phœbe Pember, matron of Chimborazo Hospital, also, Mrs. Lofton, widow of Colonel John T. Lofton,

of Oglethorpe county, in said State, to adopt a scheme to raise money for the purpose of establishing a school of high order, at which the children of all persons engaged in the late war may be supported and educated.

The report of the committee was disagreed to, the bill was read the third time, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are yeas 15, nays 21.

Those voting in the affirmative are Messrs.

Carter,	Freeman,	Parris,
Crawford,	Griffin,	Patterson,
Daley,	Johnson, J. A. W	Simmons,
Dickey,	Johnson, J. F.	VanDuzer,
Ezzard,	Moore,	Wilcox.

Those voting in the negative are Messrs.

Barwick,	Fuller,	Quillian,
Bedford,	Gresham,	Redding,
Black,	Kenan,	Russell,
Blount,	Manson,	Smith, C. H.
Brown,	McDaniel,	Smith, O. L.
Butler,	Overstreet,	Thornton,
England,	Owens,	Turner.

Yeas 15; nays 21. So the bill was lost.

Mr. J. A. W JOHNSON, from the Special Committee, to whom was referred a bill for the relief of Seago, Palmer & Co., made the following report:

Mr. President: I am instructed by a majority of the committee to report, that they have thoroughly investigated said claim, and have not been able to get any testimony showing that said bill should not pass, except what is founded on rumor. All the facts obtained by the sworn testimony go to sustain the claim. A majority of the committee, therefore, recommend the passage of the bill.

The Senate took up the report of the Committee of the Whole on the bill to compel persons holding claims against the State, entered into or arising at any time from the 1st of January, 1861, to the 25th June, 1866, to be passed upon by the Court.

The Committee on the Judiciary, to whom this bill was referred, proposed to amend by adding the following to the first section:

"And when said Solicitor General has been served with a petition as aforesaid, it shall be his duty to inform the Governor of such claim, who may, if he thinks necessary, employ other counsel to assist the Solicitor."

Also, to add the following as an additional section, to-wit:

“And be it further enacted, That the evidence submitted on said trial shall be taken by interrogatories, under the rules and regulations prescribed for interrogatories in other cases; and, after the trial, a certified copy of said evidence, verdict and judgment shall be furnished the claimant, sealed up under the hand and seal of said clerk, and may by him (without breaking the seal of said clerk,) be laid before the Legislature for their action; but they shall not act upon any of the afore-said claims without first proceeding under this act;” and with these amendments, they recommend the passage of the bill.

On motion, the amendments were agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to repeal the oath prescribed in the 1377th paragraph of the Revised Code of Georgia to be taken by retailers of spirituous liquors.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to change section 3543 of the Code of Georgia.

The Committee on the Judiciary, to whom this bill had been referred, reported in favor of the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill relative to insurance companies not chartered by the State of Georgia, but doing business therein.

The Committee on the Judiciary, to whom this bill was referred, proposed to amend the same by adopting the following as a substitute therefor, to-wit:

A BILL

To be entitled An Act to prescribe the terms upon which marine, fire, or life insurance companies, not incorporated by act of the General Assembly of Georgia, shall be permitted to transact business in the State.

SECTION 1st. *The General Assembly do enact, That every fire, marine, or life insurance company, not incorporated under the laws of the State of Georgia, shall, before taking any risks of any description, procure a certificate from the Comptroller General stating its compliance with the provisions hereinafter set forth, and authorizing it to transact business accordingly.*

SEC. 2d. *Be it further enacted*, That before the Comptroller shall issue the certificate as aforesaid to any insurance company; the said company shall file in his office the following statement, and comply with the following requirements:

1st. A statement under the oath of its President or Secretary, setting forth its condition, as follows:

The amount of its authorized capital.

The amount of its subscribed capital.

The amount of its capital paid in.

The total amount of its entire assets, and how invested.

The amount of its losses or other indebtedness, due or not due.

The amount insured by the company in any one risk.

The name and residence of each agent of the company in the State.

The amount at risk of the company.

Such company shall, before receiving such certificate, deposit with the Comptroller bonds of the State of Georgia to the following amounts: If not more than five thousand dollars are taken in any single risk, bonds to the amount of fifteen thousand dollars shall be deposited; if risks to the amount of ten thousand dollars are taken, twenty thousand dollars in bonds shall be deposited; and for each additional one thousand dollars of risk over ten thousand, bonds to the amount of one thousand dollars shall be deposited; the interest on which bonds shall be paid to said company or its authorized agent as it becomes due; and said bonds shall be liable to be levied on and sold at the instance of any party obtaining judgment against said company on any policy of insurance; and no company shall be entitled to receive such certificate which has not one hundred thousand dollars of actual *bona fide* capital paid in and securely invested in good securities.

SEC. 3d. Any such insurance company shall be liable to be sued at any point where it may have an agency within this State, and service and process upon such agent shall be as valid and effectual as if served upon the company at its principal place of business.

SEC. 4th. *Be it further enacted*, That whenever any company shall desire to terminate its agency in this State and close its business, the bonds so held by the Comptroller shall be returned to them, upon satisfactory evidence being given him that all the risks of the company so applying are terminated, and the liabilities of the company within the State have been paid.

SEC. 5th. *Be it further enacted*, That the tax upon premiums of insurance companies now payable to the State of Georgia by companies not incorporated by the State, shall

apply to all premiums paid for insurance by residents of the State to any company incorporated by the laws of the State, whether it be under open policies or otherwise.

SEC. 6th. *Be it further enacted*, That if any company not incorporated by the State of Georgia, shall transact business within the State without first complying with the provisions herein before set forth, the President and Directors, or agent, shall be guilty of a misdemeanor, and, on conviction, shall be fined in a sum not less than five hundred nor more than one thousand dollars.

SEC. 7th. *Be it further enacted*, That the returns required to be made by this act, shall be made annually, up to the first of November, and be forwarded to the Comptroller by the fifteenth of said month, and if the same be found satisfactory, he shall issue a new certificate, which shall be for one year only, and for which he shall receive the sum of five dollars.

SEC. 8th. *Be it further enacted*, That the provisions of this act shall apply to every company not incorporated by the laws of the State, which shall transact the business of fire, marine, or life insurance, either by an union of companies issuing one policy, or by individuals issuing their own policies.

SEC. 9th. *Be it further enacted*, That any company now engaged in transacting business as aforesaid, within the State, shall be allowed until the first of June, next, to comply with the provisions of this act.

SEC. 10th. Repeals conflicting laws.

On motion, the substitute was adopted in lieu of the original.

The report of the committee as amended was agreed to, the bill was read the third time and passed, under the following title, to-wit:

A bill to be entitled an act to prescribe the terms upon which marine, fire or life insurance companies not incorporated by act of the General Assembly of Georgia, shall be permitted to transact business within this State.

The Senate took up the report of the Committee of the Whole on the bill to authorize the Inferior Court of Richmond county to levy and collect an extra tax for the year 1867.

The report of the committee was agreed to, the bill was read the third time and passed.

The Committee on Internal Improvements, to whom was referred a memorial for the establishment of a plank or turnpike upon the road leading from Jenk's bridge, on the Ogeechee river, to Savannah, reported the same back without recommendation.

The Senate took up the report of the Committee of the

Whole on the bill to authorize Banner Thomas, of Pierce county, guardian of William Gye, to deliver to his said ward the property and effects in his possession as guardian, belonging to him, and to relieve said guardian from all liability, pains and penalties for so doing.

The Committee on the Judiciary, to whom this bill had been referred, reported in favor of the passage of the same.

Mr. DALEY moved to amend by adding the following as an additional section, which was agreed to, to-wit :

"And be it further enacted, That all the provisions of this bill are hereby extended to James A. Stanfield, of Tattall county, guardian of Allen R. Strickland, of Liberty county.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed, under the following title, to-wit :

A bill to be entitled an act to authorize Banner Thomas, of Pierce county, and James A. Stanfield, of Tattall county, to deliver to their wards the property and effects in their possession as guardians, belonging to them, and to relieve said guardians from all liability, pains and penalties, for so doing.

The Senate took up the report of the Committee of the Whole on the bill amendatory of an act approved the 12th day of March, 1866, for the relief of executors, administrators, etc.

On motion, the bill was laid on the table for the present.

The Senate took up the report of the Committee of the Whole on the bill to relieve certain counties in this State from the payment of State taxes for the years 1867 and 1868, to enable them to rebuild court houses and jails.

The Committee on Finance having reported adversely to its passage, the same was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill in reference to Confederate contracts.

The Committee on the Judiciary, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

Mr. O. L. SMITH, from the Committee on Enrollment reported as duly enrolled and ready for the signature of the President of the Senate and the Speaker of the House of Representatives, the following acts, to-wit :

An act to allow the redemption of real estate, sold under execution within a specified time.

An act to amend "An Act to regulate the manner of convicts laboring upon public works, and to define the powers and duties of the Inferior Court and Governor of the

State touching the same, and for other purposes therein mentioned," approved 20th March, 1866.

The Senate took up the resolution reported by the Committee on Internal Improvements in reference to a memorial submitted by the Rome Chamber of Commerce.

On motion, the resolution was agreed to.

The Senate took up the reconsidered resolution requiring the State Librarian to furnish missing reports of the Supreme Court to Baldwin county.

On motion of Mr. KENAN, the resolution was laid on the table for the balance of the session.

The Senate took up the report of the Committee of the Whole on the bill for the relief of Annie Adams, of Richmond county.

The Committee on the Judiciary, to whom this bill was referred, reported against the passage of the same.

The report of the committee was agreed to, and the bill was lost.

The following message was received from the House of Representatives through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have agreed to a resolution requesting his Excellency, the Governor, to pardon John H. Perkins, a convict in the Penitentiary, from the county of Banks, under the charge of horse stealing; and I am instructed to transmit the same forthwith to this branch of the General Assembly.

They have passed the following bill of the Senate:

A bill to add the residence and lot of land upon which Robert H. Gray resides, to the county of Burke.

They refuse to concur in the substitute of the Senate for the following bill of the House of Representatives:

A bill to repeal an act assented to December 11th, 1858, to change the lines between the counties of Dougherty and Worth, and re-establish said line between said counties.

The Senate took up the resolution in reference to the sale or exchange of the bonds of the State authorized by law.

On motion of Mr. GRESHAM, the same was laid on the table for the balance of the session.

The Senate took up the report of the Committee of the Whole on the bill to authorize and require the Governor of the State of Georgia to call a convention of the people of this State, and for other purposes.

The Committee on the State of the Republic, to whom this bill had been referred, reported the same back to the Senate, and recommend that it do not pass.

Upon agreeing to the report of the committee, the yeas and

nays were required to be recorded, and are yeas 24, nays 13.

Those voting in the affirmative are Messrs.

Beall, O. P	Dickey,	Parris,
Bedford,	England,	Quillian,
Black,	Ezzard,	Redding,
Blount,	Gresham,	Russell,
Brown,	Manson,	Smith, C. H.
Carter,	McDaniel,	Smith, O. L.
Crawford,	Moore,	Thornton,
Daley,	Owens,	Turner.

Those voting in the negative are Messrs.

Barwick,	Johnson, J. A. W	Patterson,
Butler,	Johnson, J. F.	Strickland,
Freeman,	Kenan,	VanDuzer.
Fuller,	Overstreet,	Wilcox.
Griffin,		

Yeas 24; nays 13. So the report was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to authorize an advance payment to be made to the Public Printer of the present session of the Legislature.

On motion, the same was laid on the table for the balance of the session.

The Senate took up the reconsidered bill for the relief of Messrs. Seago, Palmer & Co.

On motion, the further consideration of the same was postponed until Tuesday, the 11th instant.

The Senate took up the message of the House of Representatives in reference to the resolution appointing a committee to examine and report upon a Revised Code to be prepared by Samuel C. Elam, which the House of Representatives had passed with certain amendments.

On motion of Mr. MOORE, the amendments of the House of Representatives were disagreed to.

The Senate took up the message of the House of Representatives in reference to the bill of the Senate to educate indigent maimed soldiers of Georgia, and to provide the necessary means for the same, which the House of Representatives had passed, with the following amendment, to-wit:

"Be it further enacted, That the provisions of this act shall apply to all high schools and academies, the teachers of which are graduates of any literary college, or who are qualified to teach all the branches usually taught in any one of the colleges of Georgia.

On motion, the amendment was disagreed to.

The Senate took up the resolution in reference to the line between the States of Georgia and Florida.

On motion, the resolution was agreed to.

The Senate took up the reconsidered resolution to bring on the election of United States Senator on the 16th November, 1866.

Mr. MOORE, moved to amend the same by striking out the words "16th of November," and insert the words "11th of December," which was agreed to.

Upon agreeing to the resolution, the yeas and nays were required to be recorded, and are yeas 27, nays 8.

Those voting in the affirmative are Messrs.

Barwick,	Ezzard,	Overstreet,
Beall, O. P.	Freeman,	Parris,
Bedford,	Fuller,	Patterson,
Blount,	Johnson, J. A. W.	Quillian,
Brown,	Johnson, J. F.	Russell,
Crawford,	Kenan,	Smith, C. H.
Daley,	Manson,	Strickland,
Dickey,	McDaniel,	VanDuzer,
England,	Moore,	Wilcox.

Those voting in the negative are Messrs.

Black,	Gresham,	Thornton,
Butler,	Redding,	Turner.
Carter,	Smith, O. L.	

Yeas 27; nays 8. So the resolution was agreed to.

Mr. THORNTON gave notice that he would move to reconsider so much of the Journal as relates to the action of the Senate on the foregoing resolution.

On motion, the Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

On motion of Mr. MOORE, the Secretary was directed to transmit the resolution bringing on the election of United States Senator on the 11th of December, 1866, forthwith to the House of Representatives.

The Senate took up the message of the House of Representatives in reference to the bill of the Senate to consolidate the offices of Clerk of the Superior and of the Inferior Courts of Elbert county, which the House of Representatives had passed by including the county of Webster in the provisions of the bill.

On motion, the amendment was concurred in.

The Senate took up the message of the House of Representatives on the bill of the House of Representatives which had passed the Senate by a substitute, and which had been disagreed to by the House, to-wit: A bill to repeal an act, assented to December 11th, 1858, to change the lines between the counties of Dougherty and Worth, and re-establish said line between said counties.

On motion, the Senate receded from its amendment.

On motion, the rules were suspended, and the following bill was read the second time, to-wit:

A bill for the pardon of John McMahon, of the county of Fulton, now confined in the Penitentiary for life.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to regulate the manner of giving in land for taxation, and the sale and redemption thereof, and for other purposes.

The Committee on Finance, to whom this bill was referred, proposed to amend the first section by striking out the words "Comptroller General," and insert in lieu thereof the words "Surveyor General;" also, to amend the fifth section by adding the following: "Said return may be made by forwarding by mail or other conveyance, to either of said officers, a statement, under oath, of the lands owned and the value thereof; and when the rate of the *ad valorem* tax has been fixed and the collection of taxes ordered, the taxes due upon said wild lands shall be paid to that officer to whom the return was made."

On motion, the amendments were agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills:

A bill to change the line between Lowndes and Echols counties, and for other purposes.

A bill to reduce the bond of the Sheriff of Baker county.

A bill to make permanent the county site of Bulloch county, and to incorporate the same, and for other purposes.

A bill to authorize the Justices of the Inferior Court of Chatham county to require the attendance of Justices of the Peace at elections, and for other purposes.

A bill to amend an act to incorporate the Augusta and Summerville Railroad Company, approved March 20th, 1866.

A bill to amend an act entitled an act to incorporate the Savings Bank of Augusta, approved 21st March, 1866.

A bill to alter and amend the second section of an act enti-

tled an act to alter and amend an act incorporating the trustees of Christ Church, in the city of Augusta, and to change the name thereof to the First Presbyterian Church of the city of Augusta, assented to December 29th, 1836.

A bill to enable the city of Columbus to maintain a public school in said city, and use the lot known as the Female Academy lot and building for the same.

A bill to incorporate the Flat Shoals Manufacturing Company in the counties of Meriwether and Pike.

A bill to repeal an act entitled an act to add lot of land No. 46, in 30th district, originally Lee, now Schley, to the county of Sumter, assented to April 13th, 1863.

A bill enabling married women to renounce their right to dower and twelve months' support in and from real estate mortgaged to loan and building associations.

A bill to authorize the Inferior Courts of Thomas and Mitchell to issue bonds for the purpose of taking stock in the South Georgia and Florida Railroad.

A bill to compensate election clerks in Meriwether county.

A bill to change the times of holding the semi-annual terms of the County Court of Spalding county, and for other purposes.

A bill to incorporate the Kellogg Gold Mining and Manufacturing Company.

They have concurred in the joint resolution appointing Charlton H. Way and John H. Stoughton commissioners to the World's Fair in Paris, with an amendment, in which they invite the concurrence of this branch of the General Assembly.

Mr. SMITH, Chairman of the Committee on Enrollment, reported as duly enrolled and signed by the Speaker of the House of Representatives and ready for the signature of the President of the Senate, the following Acts, to-wit:

An act to add fractional lots of land Nos. 224, 225 and 226, in the thirteenth district of originally Lee to the county of Terrell.

Also, an act to change the times of holding the Superior Courts of the county of Spalding, and for other purposes therein named.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to amend the act incorporating the city of Americus, in the county of Sumter, and the several acts amendatory of said incorporating act.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the

Whole on the bill of the House of Representatives to alter and amend section 4283 of the Code of Georgia.

The Judiciary Committee, to whom this bill had been referred, reported the same back to the Senate, and recommend that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to alter and amend the 638th section of the Code.

The Committee on the Judiciary, to whom this bill was referred, reported adversely to its passage.

The report of the committee was disagreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the second section of an act to incorporate the Georgia Home Insurance Company of the city of Columbus, assented to December 12th, 1859.

The Committee on Banks, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to repeal an act entitled an act to amend the several acts regulating roads in this State, so far as respects the operation of said acts in the counties of Bryan, Liberty, McIntosh, Glynn, Camden and Wayne, assented to December 8th, 1806, and an act to amend an act entitled an act to exempt certain persons of McIntosh county from road duty, and for other purposes therein named, approved January 19th, 1852, so as to make the same general in its operation, so far as the county of McIntosh is concerned, assented to February 18th, 1854, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

Mr. OWENS, from the Committee on Internal Improvements, made the following report:

Mr. President: The Committee have considered an act in relation to the New Orleans, Mobile & Chattanooga Rail-Road Company, a corporation of the State of Alabama, and authorizing and empowering said company to exercise and enjoy its corporate powers and franchises in the State of Georgia: which they propose to amend by striking out all after the words "turn out," in the fourth line of sixth paragraph of second section, to the word "provided," in the ninth line of said section; by striking out the word "Supreme,"

in the seventh line of the fourth section, and inserting the word "Superior," and by striking out the word "Circuit," in the ninth line of said section, and inserting the word "Inferior"; by striking out the word "Circuit," in the fourth line of the eighth section, and inserting the word "Superior"; by striking out all after the word "shall," in the first line of the ninth section, and inserting the words "be subject to taxation, as other railroads in this State"; and by adding at the close of the fifteenth section the following proviso: "Provided, that nothing in this act shall be so construed as to authorize the said New Orleans, Mobile & Chattanooga Railroad Company to extend their line of road in this State, or in any wise to interfere with the rights, powers and privileges granted to the Wills Valley Railroad Company, as set forth in the charter of the same, until the said New Orleans, Mobile & Chattanooga Railroad Company have obtained the consent of the Wills Valley Railroad Company, or a majority of the stockholders of the same. In the event the Wills Valley Railroad Company, or a majority of the stockholders of the same, shall agree to, and do consolidate with the New Orleans, Mobile & Chattanooga Railroad Company, then the Wills Valley Railroad Company shall give up their charter, and the said Wills Valley Railroad shall be considered as incorporated in and under the control and management of the New Orleans, Mobile & Chattanooga Railroad Company, as a part of their road, with all the powers, rights and privileges granted to the Wills Valley Railroad Company in the charter of the same;" and with these amendments they recommend its passage.

GEO. S. OWENS, *Chairman*.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the 3253d section of the Code of Georgia.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to alter and amend an act to alter and amend the Penal Code of Georgia.

The Judiciary Committee, to whom this bill was referred, propose to amend by inserting the words, "approved March 20th, 1866," after the words "Penal Code of Georgia," in title and body of the bill, so as to identify the act referred to; and with this amendment they recommend its passage.

The amendment was agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time, and passed under the following title, to-wit :

“A bill to be entitled an act to alter and amend an act to alter and amend the Penal Code of Georgia, approved March 20th, 1866.”

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the *certiorari* laws of this State.

The Judiciary Committee, to whom this bill was referred reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to provide a college for the benefit of agriculture and the mechanic arts in the State of Georgia, under an act of Congress approved respectively 2d July, 1862, and 14th April, 1864.

The Judiciary Committee, to whom this bill was referred, reported the same back to the Senate with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to prevent persons from interfering, so as to induce laborers or servants to abandon their contracts, or to employ such without the consent of their original employer, before the expiration of their contract, etc.

The Committee on the Judiciary, to whom this bill was referred, recommended the adoption of the following substitute, to-wit :

A BILL

To be entitled An Act to make the employment of any servant whatever, during his time of service illegal, and declare the same a misdemeanor.

The General Assembly do enact, That from and after the passage of this act, it shall not be lawful for any person to employ any servant in the employment of another for and during his term of service; and if any person, by himself or agent, shall be guilty of employing the servant of another, for and during the term for which he, she or they may be employed, knowing that such servant was so employed, and that his term of service has not expired; or if any person or persons shall entice, persuade, or decoy, or attempt to entice, persuade, or decoy, any servant to leave his employer, either

by offering higher wages or in any other way whatever, during the term of service, knowing that said servant was so employed, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not more than two hundred dollars, or confinement in the common jail of the county, in the discretion of the court, not to exceed three months.

And be it further enacted, That all laws and parts of laws repugnant to this act be and the same is hereby repealed.

On motion, the substitute was received in lieu of the original.

The report of the committee as amended was agreed to, the bill was read the third time and passed, under the following title, to-wit :

“A bill to be entitled an act to make the employment of my servant whatever, during his time of service illegal, and declare the same a misdemeanor.”

The following message was received from his Excellency, the Governor, through Mr. Hunter, his Secretary, to-wit :

Mr. President : The Governor has approved and signed the following resolution, to-wit :

Resolution in reference to the adjournment of the General Assembly.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof :

Mr. President : The House of Representatives have passed the following bills :

A bill to incorporate the town of McIntosh, at Indian Springs, in the county of Butts, and to amend an act passed 25th December, 1837.

A bill to make it a misdemeanor to hunt with fire-arms or a dog or dogs on the Sabbath day, in certain counties in this State therein named.

A bill to amend the 3621st section of the Code of Georgia.

A bill to alter and amend section 1377 of the Code of this State.

They have concurred in the following resolution from the Senate :

A resolution to bring on an election, on the 11th December, 1866, for United States Senator :

Mr. BROWN, from the Committee on New Counties and County Lines, made the following report, to-wit :

Mr. President : The Committee on New Counties and County Lines, to whom was referred a bill to be entitled an act to add lot of land number (84) eighty-four, in the fifth

(5th) district of the county of Wilcox, to the county of Pulaski, have had the same under consideration, and recommend its passage.

Also, a bill to change the line between the counties of Catoosa and Walker : and recommend that the same do pass.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills :

A bill to authorize the Inferior Court of Echols county to regulate and prescribe the rates of ferriage in said county, and for other purposes.

A bill to alter and amend the oath of retail vendors of spirituous liquors.

A bill to amend an act entitled an act authorizing the arrest by the marshal of the village of Sparta, without warrant, and the confinement in the common jail of the county of Hancock, all persons violating the laws passed by the commissioners of said village, against drunkenness and other gross and immoral conduct.

A bill to amend sections 2014, 2015, 2016, 2017 and 2020 of the Code, and for other purposes.

A bill to amend an act entitled an act to alter and amend the Penal Code, approved March 20th, 1866.

A bill to extend the provisions of an act entitled an act to amend several acts now in force, regulating the fees of magistrates and constables in this State, so far as relates to the counties of Bibb, Richmond, Monroe and Lee, and provide the mode of collecting the same, approved January 22d, 1852, so as to include the magistrates and constables of the county of Muscogee, and to provide for the collection of the same.

A bill to amend an act entitled an act to appropriate money to pay D. B. Sanford to bring up the unfinished business of the late clerk of the Supreme Court, R. E. Martin, deceased, approved 6th March, 1866.

A bill to amend section 3530 of the Code of Georgia.

A bill to add an additional section to an act amendatory of the law relating to the establishment of lost papers, approved 7th March, 1866.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to add lot of land No. 84, in the 5th district of the county of Wilcox to the county of Pulaski.

The Committee on New Counties and County Lines, to whom this bill was referred, reported in favor of the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to change the line between the counties of Catoosa and Walker.

The Committee on New Counties and County Lines, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to relieve Frederick Cox and Harrison Rogers.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and the Senate took up the report of the Committee of the Whole on the bill in relation to the New Orleans, Mobile & Chattanooga Railroad Company.

The Committee on Internal Improvements, to whom this bill was referred, propose to amend the 2d section by striking out all from the words "turn out," in the 4th line of the 6th paragraph, to the word "provided," in the 9th line. Also, to strike out the word "Supreme," in the 7th line of the 4th section, and inserting the word "Superior;" and by striking out the word "Circuit," in the 9th line of said section, and inserting the word "Inferior." Also, to strike out the word "Circuit," in the 4th line of the 8th section, and inserting the word "Superior."

Also, by striking out the word "shall," in the 1st line of the 9th section, and inserting the words "be subject to taxation as other railroads in this State."

On motion, the amendments were agreed to.

Mr. OWENS moved to strike out the word "unnecessarily," in the 8th line of the 7th paragraph of the 2d section, which was agreed to.

Mr. BUTLER moved to strike out the words "two hundred," in the 1st line of the 3d page, and insert the words "one hundred," which motion was agreed to.

Mr. PARRIS moved to amend by adding the following proviso, which was agreed to, to-wit:

That nothing in this act be so construed as to authorize the said New Orleans, Mobile & Chattanooga Railroad Company to extend their line of road in this State, or in any wise to interfere with the rights, powers and privileges granted to the Wills Valley Railroad Company, as set forth in the charter of the same, until the said New Orleans, Mobile & Chattanooga Railroad Company have obtained the consent of the

Wills Valley Railroad Company, or a majority of the stockholders of the same.

In the event the Wills Valley Railroad Company, or a majority of the stockholders of the same, shall agree to, and do consolidate with the New Orleans, Mobile & Chattanooga Railroad Company, then the Wills Valley Railroad Company shall give up their charter, and said Wills Valley Railroad shall be considered in and under the control and management of the New Orleans, Mobile & Chattanooga Railroad Company, as a part of their road, with all the powers, rights and privileges granted to the Wills Valley Railroad Company, in the charter of the same.

Mr. OWENS moved to amend by adding the following as an additional section, which was disagreed to, to-wit:

And be it further enacted, That said company shall be bound to establish and maintain, during the continuance of the charter, a monthly line of steamers between the cities of Savannah or Brunswick and some point in Great Britain or Europe; and should said company fail, neglect or refuse, at any time, to supply and maintain such line, that such failure or refusal, shall work an immediate forfeiture of the charter, and his Excellency, the Governor, on satisfactory information being given to him of such failure or refusal, shall be, and he is hereby authorized to declare said charter forfeited, and shall arrest the operation of said road, which forfeiture shall be held and considered as legal, valid and binding, as if the same had been declared forfeited by the judgment or decree of the courts; nor shall he permit said company to resume its operations upon said road without full and complete compliance with the provisions above stated.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

Mr. GRESHAM moved to prolong the session for half an hour, which motion was lost.

On motion, the Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

THE SENATE met pursuant to adjournment, and took up the report of the Committee of the Whole on the bill of the House of Representatives to explain the 3d section of an act to prescribe and regulate the relation of parent and child among persons of color, in this State, and for other purposes, approved 9th March, 1866, and to add an additional section thereto.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to change the county line between the counties of Appling and Coffee.

The Committee on New Counties and County Lines, to whom this bill was referred, reported in favor of its passage.

The report was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to change the line between the counties of Wilcox and Pulaski.

The Committee on New Counties and County Lines, to whom this bill had been referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to prescribe the mode of electing the Mayor and members of Council of the city of Atlanta.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to legalize the acts of the Inferior Court of Echols county.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Mechanics' Steam Power Company.

The Committee on Internal Improvements, to whom this bill was referred, proposed to amend the title by inserting the word "manufacturing" after the word "power"; also, to amend the first section by inserting the word "manufacturing" after the word "power," in the last line; and with these amendments, they recommend the passage of the bill.

On motion, the amendments were agreed to.

The report of the committee, as amended was agreed to, the bill was read the third time and passed, under the following title, to-wit:

A bill to incorporate the Mechanics' Steam Power Manufacturing Company.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to authorize the Inferior Court of DeKalb county to increase the fees of jailor for said county.

The report of the committee was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills:

A bill to regulate the payment and collection of jury fees in the county of Clinch.

A bill to incorporate the Atlanta Mining and Land Company.

A bill to alter and amend an act to incorporate Washington Institute, a high school organized by an association of Baptist churches, known as the Washington Association, and located in Hancock county, and to incorporate trustees for the same, and to change the name of the village of Buffalo, in said county, and for other purposes, assented to December 13th, 1858.

A bill to increase the fees of jailors for dieting prisoners in the county of Chattahoochee.

A bill to change the line between the counties of Baker and Early.

A bill to authorize the Southern & Western Fire, Marine and Accident Insurance Company of New Orleans to establish branches in the State of Georgia.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to prevent obstructions in the Okoloknee river, so far as relates to the counties of Thomas and Colquitt, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to exempt persons actually engaged in attending to a grist mill from jury duty.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to legalize certain acts of the Fulton Loan and Building Association and the Stonewall Building and Loan Association.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to authorize the State Empire Iron and Coal Mining Company to establish an office at Chattanooga, or some other place out of the State.

The report of the committee was agreed to, the bill was read the third time and passed.

Mr. OWENS, from the Committee on Internal Improvements, submitted the following report:

Mr. President: The Committee have considered a bill to be entitled an act to incorporate the Iron and Mining Company of Dade county, Georgia: which they propose to amend by striking out the words, "said corporation shall remain and exist by continued succession from said corporators to their successors and assigns, the stock thereof," in the fourth section, and inserting, "the stock of said corporation," and by adding at the close of the last section the words, "The principal place of business of said corporation shall be at Cartersville;" and with these amendments they recommend its passage.

GEO. S. OWENS, *Chairman*.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend an act entitled an act to make uniform the laws of this State for the collection of costs, and other purposes, assented to 17th April, 1863, so far as it relates to the county of Lincoln.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Ocmulgee Loan and Savings Bank Association, and to confer upon the same certain powers and privileges therein specified.

The Committee on the Banks, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to compensate grand and petit jurors of the Superior, Inferior and County Courts in the county of Decatur, in this State, and to authorize the levy of an extra tax for said purpose.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to repeal an act entitled an act to provide for the election of a superintendent of public roads and bridges in the counties of Wilkes, Muscogee and Lincoln, and such other counties as may adopt the provisions of this act, and to define his rights and duties, and to repeal all laws inconsistent with this act, as far as it is applicable to the counties of Lincoln and Wilkes.

The report of the committee was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills:

A bill to amend the laws of the State so as to authorize commissioners appointed by the Ordinary to set apart the year's support to which widows and children of deceased persons are entitled under existing laws, to pass upon and adjust the equities of the parties to such application, as between them and the estate from which said support is sought.

A bill to incorporate the Buena Vista Manufacturing Company, in the county of Baldwin.

A bill to consolidate the offices of sheriff and special bailiff in the county of Polk.

A bill to incorporate the town of Attapulcus, in the county of Decatur, and to provide for the election of commissioners for the same.

A bill to incorporate the town of Bascomb, in the county of Screven, to appoint commissioners for the same, and for other purposes.

A bill to alter and fix the times for holding the Superior Courts in the counties of Colquitt, Lowndes, Brooks and Thomas.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to relieve Helen Lapham, formerly Helen Chaffin, and Mary Ann Drakeford, formerly Mary Ann Terry, from the legal disability to contract the marriage relation, and of all penalties for having contracted the same.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

Mr. OWENS, from the Committee on Banks, submitted the following report:

Mr. President: The committee have considered "A bill to be entitled an act to incorporate the National Loan and Banking Association," which they recommend do not pass.

GEO. S. OWENS, *Chairman.*

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the town of Euharlee, in the county of Bartow, and

to appoint commissioners for the same, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend an act entitled an act for the relief of maimed and indigent soldiers and officers, citizens of this State, who belonged to military organizations of this State in the State or Confederate States armies, approved 12th March, 1866.

The Judiciary Committee, to whom this bill had been referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend section 2519 of the Code of Georgia.

The Committee on the Judiciary, to whom this bill had been referred, reported against its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the 3465th section of the Code of Georgia.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives for the relief of E. B. Loyless, of Webster county.

The Judiciary Committee, to whom this bill was referred, propose to amend by striking out the second and third sections, and insert in lieu thereof the following proviso to the first section, to-wit :

“Provided he redeems said bills at their par value in currency before conviction.”

On motion the amendments were agreed to.

The report of the committee as amended, was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to authorize administrators to perfect titles in certain cases.

The Judiciary Committee, to whom this bill was referred, propose to amend the first section by striking out the word “or” and insert the word “and.”

On motion, the amendment was agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to confer on the Justices of the Inferior Court of the several counties of this State the power to fix the fees of jailors for dieting prisoners.

The Judiciary Committee, to whom this bill was referred, reported in favor of the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to protect sheriffs and other officers, and to regulate the levy of executions, and for other purposes.

The Judiciary Committee, to whom this bill was referred, having reported against its passage, the same was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives allowing executors and administrators of other States and Territories of the United States to qualify and act as such executors and administrators in this State in certain cases.

The Judiciary Committee to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to change the line between the counties of Johnson and Emanuel, so as to include the residence and farm of Henry Neel, of Johnson county, within the county of Emanuel.

The Committee on New Counties and County Lines, to whom this bill was referred, reported in favor of the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to legalize the acts of the Justices of the Inferior Court of Pickens County and State of Georgia in a certain case.

The Judiciary Committee, to whom this bill was referred, reported in favor of the passage of the bill.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to declare the effect of the second section of an ordinance passed by the Convention, November 8th, 1865, to make valid private contracts entered into and executed during the war against the United States, and to authorize the courts of this State to adjust equities, etc.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of the passage of the bill.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill to amend an act incorporating the Southern Insurance and Trust Company, passed December 17th, 1861.

The Judiciary Committee, to whom this bill was referred, reported the same back to the Senate, with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend section 3883 of the Code of Georgia.

The Committee on the Judiciary, to whom this bill had been referred, reported favorably to its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to alter and change the 4249th and 4250th paragraphs of the Code of Georgia.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

On motion, the bill was re-referred to the Committee on the Judiciary.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to regulate continuances, and for other purposes.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

On motion, the bill was re-referred to the Committee on the Judiciary.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to fix the times of holding the Supreme Court and to regulate proceedings therein.

The Committee on the Judiciary, to whom this bill was referred, proposed to amend by adding the following in the 6th line of the 3d section, to-wit :

“And in the Southern Recorder and Federal Union at Milledgeville,” after the word “Columbus ;” and with this amendment they recommend the passage of the bill.

On motion, the amendment was agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to repeal an act entitled an act to regulate the sale of spirituous liquors in the county of Stewart, and for other purposes, assented to December 19th, 1859.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the 8th section of an act entitled an act to incorporate the Memphis Branch Railroad & Steamboat Company of Georgia, approved December 21st, 1839.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to regulate the building of fish traps in the Withlacoochee river.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to alter and amend section 1815 of the Revised Code.

The Judiciary Committee, to whom this bill was referred, reported in favor of the passage of the bill.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the 1669th paragraph, part 2d, title 2d, chapter 1st, article 1st, 2d section of the Revised Code of Georgia, and to legalize certain judgments and decrees of the Superior Courts of this State in divorce cases.

The Judiciary Committee, to whom this bill was referred, reported in favor of the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the 2133d section of the Code of Georgia.

The Committee on the Judiciary, to whom this bill had been referred, reported in favor of the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to allow defendants to be witnesses in certain cases therein mentioned.

The Committee on the Judiciary, to whom this bill had been referred, reported adversely to the passage of the same.

On motion, the bill was laid on the table for the present.

The following bills of the House of Representatives were severally read the second time and referred to the Committee on the Judiciary, to-wit :

A bill to relieve the estate of John C. Dumas, late of Jones county, deceased.

A bill to amend an act entitled an act to define and regulate court contracts, and to prescribe the manner of enforcing the same in the County Courts, approved March 17th, 1866.

A bill to authorize the County Judge, of Chatham county, to take the list of persons subject to jury duty from the Receiver's Digest of taxes made in the year 1866, the City Registry, and to put such persons in the jury box who are subject to jury duty, and who are not on the Digest or City Registry ; to throw out the present jury tickets and to make new ones and place them in the box, and for other purposes.

The following bill of the House of Representatives was read the second time, and referred to the Committee on New Counties and County Lines, to-wit :

A bill to change the line between the counties of Carroll and Heard, so as to include the residence of Michael C. Sumnerlin, of the county of Heard, within the county of Carroll.

The following bills of the House of Representatives were severally read the second time, to-wit :

A bill to incorporate the Georgia Company for mining and other purposes.

A bill for raising a revenue for the political year 1867, and to appropriate money for the support of the government during said year, and to make certain special appropriations, and for other purposes therein mentioned.

A bill to make legal the sale of the Bainbridge Academy lot and for other purposes.

A bill to amend the Penal Code.

A bill to incorporate the Villa Rica Mining Company.

A bill to amend the 1st section of an act authorizing the appointment of vendue masters in the several corporate towns and cities in this State, approved 21st February, 1866.

A bill to repeal an act to point out the mode of paying the fees of the Solicitor General of the Eastern Judicial District of Georgia, in Chatham county, in certain cases, and for other purposes therein enumerated.

A bill to authorize bailiffs to summons grand and petit jurors in certain cases, and for other purposes.

A bill to amend an act to incorporate the town of Valdosta, in the county of Lowndes, for the election of Mayor, Councilmen and Marshal for the same, passed the 17th of December, 1860.

A bill to amend an act to extend the corporate limits of the town of Hamilton, Harris county, and to create and give additional power to the corporate authority of said town, assented to December 19th, 1859.

A bill to declare in full force an act entitled an act to incorporate the town of Dahlonga, in the county of Lumpkin, assented to December 11th, 1858, and an act amendatory thereof, assented to December 10th, 1859, and for other purposes.

A bill to amend an act entitled an act to incorporate Cotton Hill Male and Female Seminary, in the village of Cotton Hill, Clay county, and to appoint trustees for the same, approved March 6th, 1856.

A bill to change the time of holding the County Court of Clay county.

A bill to alter and change the time of holding the Superior Courts in the counties of the Blue Ridge Circuit of this State.

A bill to regulate the fees of Justices of the Peace in certain cases therein specified.

A bill concerning the advertisement of Sheriffs' sales.

A bill to amend the 1971st and 1973d sections of the Code of Georgia.

A bill to define and regulate the laws governing the twelve months' allowance for the support of widows and children.

A bill to change the line between the counties of Quitman and Stewart, so as to include the residence of William J. Brown, of the county of Stewart, within the limits of the county of Quitman.

A bill for the relief of G. W. Pucket, of the county of Cherokee.

The following bills of the House of Representatives were read the first time, to-wit:

A bill to incorporate the Atlanta Depositary.

A bill to incorporate an insurance company in the city of Bainbridge, to be called the National Insurance Company.

A bill for the relief of Nancy E. Hancock.

A bill to amend an act to authorize the Justices of the Inferior Court of the county of Lowndes to issue bonds of said county to raise money to build a court house and jail in said county, and for other purposes.

A bill to give landlords a lien upon the crops of tenants, for stock, farming utensils and provisions furnished such tenants for the purpose of making their crops.

A bill to levy and collect a tax for the support of the government for the year 1867, and for other purposes.

Fifty copies of the same were ordered to be printed for the use of the Senate.

A bill to incorporate the Atlanta Manufacturing and Mining Company.

A bill to incorporate the Fulton Savings Bank.

A bill to change the time of holding the Superior Court of Lee county.

A bill to legalize marriages by colored ordained ministers of the gospel, and also to authorize such colored ordained minister, or ministers of African descent to solemnize future marriages between freedmen and freedwomen of African descent only.

On motion, the Senate adjourned until to-morrow morning at 9½ o'clock.

TUESDAY, December 11th, 1866.

The Senate met pursuant to adjournment, and was opened by prayer from the Rev. Mr. YARBROUGH.

Mr. J. F JOHNSON moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill to relieve certain counties of this State from the payment of taxes for the years 1867 and 1868, in order to enable them to build court houses and jails.

Whereupon the yeas and nays were required to be recorded, and are yeas 8, nays 24.

Those voting in the affirmative are Messrs.

Ezzard,	Kenan,	Strickland,
Johnson, J. A. W	Parris,	Wilcox.
Johnson, J. F.	Quillian,	

Those voting in the negative are Messrs.

Barwick,	Blount,	Butler,
Black,	Brown,	Crawford,

Daley,	McDaniel,	Russell,
England,	Moore,	Smith, C. H.
Freeman,	Overstreet,	Smith, O. L.
Fuller,	Owens,	Thornton,
Griffin,	Patterson,	Turner,
Gresham,	Redding,	VanDuser.

Yeas 8; nays 24. So the motion to reconsider was lost.

Mr. C. H. SMITH moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill of the House of Representatives to incorporate the town of Euharlee, in the county of Bartow, and to appoint commissioners for the same, and for other purposes, which was agreed to.

On motion, the Senate took up the foregoing reconsidered bill, and, on motion of Mr. C. H. SMITH, the same was indefinitely postponed.

On motion, the rules were suspended and Mr. BUTLER introduced the following resolution :

Whereas, This General Assembly has noticed with satisfaction the issual, under the auspices of the University of Virginia, and from the pens of such men of learning as Captain M. F. Maury, Gilmore Simms, Hon. Charles Gayarre, Judge B. F. Porter, Professors LeConte, Holmes, Venable, Schele, DeVere and others, of a series of school books, combining the great educational requisites of uniformity, sound scholarship, and correct sentiment, which series has already received the formal approbation of the Legislature of the State of Mississippi ; therefore,

Resolved by the General Assembly of the State of Georgia, That said "Southern University Series," be, and is hereby recommended for the use in the common schools of this State, and to all teachers of other schools and academies throughout the same.

Also, the following memorial and resolution, to-wit :

To the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled :

The representatives of the people of Georgia, in General Assembly met, desire to address the national legislature with a view to the final and complete restoration of this State to its position in the Federal Government.

The President of the United States, soon after the close of the war, organized a provisional government, preparatory to establishing a constitutional State government. He demanded of a convention, held in 1865, the emancipation of slavery and the repudiation of all debts created by the war. Georgia, promptly and in good faith, obeyed. Afterwards, in compliance with the terms of a proclamation, the citizens of

this State elected a Governor, Legislature, Senators and Representatives in the Congress. The people accepted the conditions—supposed that their action would be recognized by all the authorities of the government.

But while our citizens were thus seeking restoration, an unfortunate disagreement arose between the executive and legislative departments of the government, in relation not only to the policy but the power of the President to effect this great end.

Our Senators and Representatives were denied admission, and your honorable body insists that to your department of the government belongs the whole question of reorganization, and to this end have proposed to the States several amendments to the Constitution of the United States. This Legislature, at its present session, has declined to ratify those amendments.

It is not proposed to inquire into all the considerations affecting these great questions, but to express the opinion that if Congress will put Federal representation upon the basis of the voting population within this State, without the proposed disfranchisement of so large a number of our people, Georgia would soon be moving in harmony with the government.

We respectfully and earnestly memorialize Congress upon these subjects of great interest to the people of Georgia, and ask that all the evils of confiscation and other disabilities be removed by suitable legislation. The mistakes of the past will make us a wiser people, and acknowledging the stern logic of events, do respectfully ask again that Congress, in the exercise of its wisdom and magnanimity, will spare our people political disfranchisement, and enable this State to return in a spirit of sincerity and fidelity to the government, and be incorporated with the great United States, which composed the Union of our fathers—

Therefore, Resolved, by the Senate and House of Representatives of the State of Georgia in General Assembly met, That his Excellency, the Governor, send one or more suitable persons, citizens of this State, as commissioners to the city of Washington, bearing this expression of opinion in Georgia, and that the people earnestly desire a final adjustment of their unhappy troubles.

Resolved, That said commissioners are hereby instructed to confer with the President of the United States and leading statesmen, whether in or out of Congress, to ascertain the views of the National Legislature as to the best means of securing a final peace and the restoration of all the States upon terms honoring to the government and just and true.

Resolved, That they shall report to the Governor, and his Excellency is requested to convene the Legislature within

sixty days, should he deem it necessary to effect the restoration of Georgia to her position in the Union.

Resolved, That a copy of this address and these resolutions be forwarded by his Excellency, the Governor, to the President and each branch of the National Legislature.

Mr. BROWN, chairman of the Committee on New Counties and County Lines, submitted the following report:

Mr. President: The Committee on New Counties and County Lines have had under consideration a bill of the House of Representatives to change the line between the counties of Carroll and Heard, so as to include the residence of Michael C. Sumerlin, of the county of Heard, within the county of Carroll, and recommend the passage of the same.

Mr. O. L. SMITH, chairman of the Committee on Enrollment, reported as duly enrolled, and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following acts, to-wit:

An act to add the residence and lot of land upon which Robert H. Gray resides, to the county of Burke.

An act to consolidate the offices of Clerk of the Superior and of the Inferior Courts of the counties of Elbert and Webster.

Also, a resolution to bring on an election, on the 11th December, 1866, for United States Senator.

Mr. OWENS, from the Committee on Internal Improvements, made the following report:

Mr. President: The Committee on Internal Improvements have considered the following bills:

A bill to be entitled an act, to aid, by endorsement of the State, the bonds of the Muscogee Railroad Company, in order to enable said company to effect a connection with Barnesville, which they propose to amend by striking out the word "less" in the last line of the second section and inserting the word "more," and by inserting the following as an additional section:

"Be it further enacted, That the said bonds, so endorsed, shall not be sold for less than 90c., and that the Muscogee Railroad shall create an annual sinking fund of two per cent. on the amount of bonds endorsed by the State, which shall be invested in State bonds": and with these amendments they recommend its passage.

Also, a bill to be entitled an act to incorporate the Van Wert Quarrying and Mining Company, which they propose to amend by striking out the words "perpetual succession" in the sixteenth line of the first section: and with this amendment they recommend its passage.

Also, a bill to be entitled an act incorporating the Island Manufacturing Company, in the county of Bartow, on the Etowah river, which they propose to amend by striking out all from the word "power" in the thirteenth line of the sixth section, to the word "to" in the eighteenth line: and with this amendment they recommend its passage.

GEORGE S. OWENS,
Chairman.

On motion of Mr. VANDUZER the rules were suspended, and the Senate took up the resolution of the House of Representatives requesting his Excellency, the Governor, to pardon John H. Perkins, a convict in the Penitentiary from the county of Banks, under the charge of horse stealing.

On motion, the resolution was concurred in.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk, thereof:

Mr. President: The House of Representatives have passed the following bills:

A bill to authorize the making of parties in certain cases therein mentioned.

A bill to change the time of holding the Court of Ordinary in the county of Terrell.

A bill to incorporate the Bartow Foundry and Manufacturing Company, in the county of Bartow, and to define the rights, privileges and liabilities of the same.

A bill to authorize the city council of Savannah to lay down and construct carriage railways in the streets of Savannah, and to operate and work the same, either directly for the corporation of Savannah or by contract or agreement with other persons, and for other purposes in this act mentioned.

A bill to authorize guardians, administrators, executors, and all other persons acting in a fiduciary capacity, to compromise doubtful debts, when the best interests of the parties thus represented will thereby be promoted.

A bill to incorporate the Gainesville & Dahlonga Railroad Company, and for other purposes.

A bill to consolidate the offices of treasurer and steward of the Lunatic Asylum, and to define the duties of said officer.

A bill to amend the 3333d and the 3334th sections of the Code of the State of Georgia.

A bill for the relief of A. Carnes and S. W. Peek, of the county of Cherokee.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the National Loan & Banking Association.

The Committee on Banks, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill for the pardon of John McMahon, a convict in the Penitentiary, from the county of Fulton, for the crime of murder, and a constitutional majority being necessary to pass the same, the yeas and nays were required to be recorded, and are yeas 29, nays 0.

Those voting in the affirmative are Messrs.

Barwick,	Fuller,	Russell,
Black,	Griffin,	Simmons,
Blount,	Gresham,	Smith, C. H.
Brown,	Johnson, J. A. W	Smith, O. L.
Butler,	Johnson, J. F.,	Strickland,
Crawford,	Kenan,	Thornton,
Daley,	McDaniel,	Turner,
England,	Moore,	VanDuzer,
Ezzard,	Parris,	Wilcox.
Freeman,	Redding,	

Yeas 29; nays 0. So the bill was passed by a constitutional majority.

The following message was received from his Excellency the Governor, through Mr. Hunter, his Secretary, to-wit:

Mr. President: The Governor has approved and signed the following resolution, to-wit:

A resolution to bring on an election on the 11th December, 1866, for United States Senator.

The Senate took up the report of the Committee of the Whole on the bill to incorporate the Iron and Mining Company of Dade county, Georgia.

The Committee on Internal Improvements, to whom this bill was referred, propose to amend by striking out the words "said corporation shall remain and exist by continued succession from said corporators to their successors and assigns, the stock thereof," and inserting the words "the stock of said corporation;" and by adding at the close of the last section, the words "the principal place of business of said corporation shall be at Cartersville;" and with these amendments they recommend the passage of the bill.

On motion, the amendments were agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the reconsidered bill for the relief of Messrs. Seago, Palmer & Co.

Mr. PARRIS moved to amend by adding the following as a substitute for the 1st section, to-wit:

Be it enacted, That the claim of Seago, Palmer & Co., be referred to arbitration, one arbitrator selected by them and the other selected by the Governor, and the two to select an umpire, and report to the next General Assembly the result of their investigations, and the proof in said case.

Whereupon the yeas and nays were required to be recorded, and are yeas 17, nays 16.

Those voting in the affirmative, are Messrs.

Barwick,	Fuller,	Owens,
Bedford,	Griffin,	Parris,
Black,	Gresham,	Redding,
Blount,	Kenan,	Russell,
Brown,	McDaniel,	VanDuzer.
England,	Moore,	

Those voting in the negative are Messrs.

Butler,	Johnson, J. F.	Smith, C. H.
Carter,	Manson,	Smith, O. L.
Crawford,	Patterson,	Strickland,
Daley,	Quillian,	Turner,
Ezzard,	Simmons,	Wilcox.
Freeman,		

Yeas 17; nays 16. So the amendment was agreed to.

Mr. CARTER moved to amend the amendment by striking out all after the word "and," in the 5th line, and insert the following:

That said award shall be forwarded to his Excellency, the Governor, who shall draw his warrant on the Treasury for the same, in case any amount is awarded.

Whereupon the yeas and nays were required to be recorded, and are yeas 18, nays 15.

Those voting in the affirmative are Messrs.

Brown,	Johnson, J. F.	Simmons,
Butler,	Kenan,	Smith, C. H.
Carter,	Manson,	Smith, O. L.
Crawford,	McDaniel,	Strickland,
Daley,	Patterson,	Turner,
Ezzard,	Quillian,	Wilcox.

Those voting in the negative are Messrs.

Barwick,	Fuller,	Parris,
Bedford,	Griffin,	Redding,
Black,	Gresham,	Russell,
Blount,	Moore,	Thornton,
England,	Owens,	VanDuzer.

Yeas 18; nays 15. So the amendment was agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The following message was received from his Excellency, the Governor, through Mr. Hunter, his Secretary, to-wit :

Mr. President: I am directed by the Governor to deliver to the Senate a communication in writing, with an accompanying document.

On motion, the message was then read as follows :

EXECUTIVE DEPARTMENT,
MILLEDGEVILLE, December 11th, 1866.

To the General Assembly :

I transmit herewith to the Senate and House of Representatives the report of Messrs. Bleckley, Hammond and Hansell, the committee appointed to examine and report upon a Revised Code of the State, prepared by the Hon. David Irwin.

From representations made to me as to their mode of procedure, I am inclined to think the examination has been very thorough.

CHARLES J. JENKINS.

MILLEDGEVILLE, December 11th, 1866.

To his Excellency, Charles J. Jenkins :

SIR:—The undersigned, committee appointed by your Excellency to examine the Code of Georgia as revised by the Hon. David Irwin, though not yet prepared to submit their formal report, have the honor to state that their examination of the work is substantially finished, and that they have satisfied themselves of the thoroughness and accuracy of the revision.

(Signed)

L. E. BLECKLEY,
N. J. HAMMOND,
A. J. HANSELL.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to appropriate a fund for the burial of the Confederate dead.

Mr. GRESHAM moved to amend by striking out the words "five thousand dollars" and insert the words "four thousand dollars," which was agreed to.

Mr. GRESHAM moved further to amend by adding the following as an additional section, which was agreed to, to-wit :

"And be it further enacted, That the sum of one thousand

dollars be, and the same is hereby appropriated, to the Ladies' Memorial Association, of Fredericksburg, Virginia, and that his Excellency be authorized and required to draw his warrant for the same in favor of Mrs. John H. Wallace, President of the same.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to change the line between the counties of Carroll and Heard, so as to include the residence of Michael C. Sumerlin, of the county of Heard, within the county of Carroll.

The Committee on New Counties and County Lines, to whom this bill had been referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives incorporating the Island Manufacturing Company, in the county of Bartow, on the Etowah river.

The Committee on Internal Improvements to whom this bill was referred, propose to amend by striking out all from the word "power" in the thirteenth line of the sixth section, to the word "to" in the eighteenth line, and with this amendment they recommend the passage of the bill.

On motion, the amendment was agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: I am directed to inform the Senate that the House of Representatives are now ready to receive them in the Representatives Hall, for the purpose of electing a United States Senator.

On motion of Mr. MANSON, the Senate repaired to the Hall of the House of Representatives, and after being seated, the General Assembly proceeded to elect a United States Senator for the term of six years, commencing the 4th day of March, 1867.

On taking the vote *viva voce*, the Hon. Herschel V. Johnson, of the county of Richmond, having received a majority of all the votes given, was declared duly elected.

On motion, the Senate returned to their chamber.

On motion, the Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

THE SENATE met pursuant to adjournment, and took up the report of the Committee of the Whole on the bill of the House of Representatives for raising a revenue for the political year 1867, and to appropriate money for the support of the government during said year, and to make certain special appropriations, and for other purposes therein mentioned.

Mr. BUTLER moved that the Senate resolve itself into Committee of the Whole on the foregoing bill, which motion was lost.

On motion, the bill was taken up by sections.

Mr. BEDFORD moved to amend the first section by striking out the words "nine hundred and sixty," and insert the words "twelve hundred," which motion was lost.

Mr. C. H. SMITH moved to strike out the words "nine hundred and sixty" in the first section, and insert the words "nine hundred and fifty," which motion was agreed to.

Mr. C. H. SMITH moved to strike out the words "two hundred and twenty-five" in the twelfth line of the first section, and insert the words "three hundred," which was agreed to.

Mr. KENAN moved to strike out of the second section all after the words, "1867" in the tenth line, to the word "and" in the thirteenth line, which was agreed to.

Mr. GRESHAM moved to amend by striking out the word "nine" in the sixth line of the third section, and insert the word "six," which was disagreed to.

Mr. REDDING moved to amend the third section by striking out the word "usually" in the fifth line, which motion was lost.

Mr. OWENS moved to amend the fifth section by striking out all after the word "Assembly" in the third line—

Whereupon the yeas and nays were required to be recorded, and are yeas 14, nays 14.

Those voting in the affirmative are Messrs.

Beall, O. P.	Gresham,	Redding,
Black,	Kenan,	Simmons,
Blount,	Owens,	Thornton,
England,	Parris,	Turner.
Ezzard,	Quillian,	

Those voting in the negative are Messrs.

Bedford,	Manson,	Smith, O. L.
Brown,	McDaniel,	Strickland,
Butler,	Overstreet,	VanDuser.
Daley,	Russell,	Wilcox.
Freeman,	Smith, C. H.	

Yeas 14; nays 14. Their being a tie, the Chairman voted in the negative, and the motion was lost.

Mr. OVERSTREET moved to amend the 8th section by striking out the words "five thousand," and insert the words "ten thousand," in the sixth line.

On motion, the question was divided, and the Senate agreed to strike out.

On motion, the blank was filled by inserting the words, "ten thousand."

Mr. PARRIS moved further to amend by striking out the words "fifty thousand," and insert the words "forty thousand," in the fifth line of the same section, which motion was lost.

Mr. VANDUZER moved to amend the 11th section by adding the words, "and that the sum of sixteen hundred dollars be appropriated to pay the clerk in the Secretary of State's office," which motion was agreed to.

Mr. REDDING moved to amend by striking out "twenty-five thousand dollars," in the first line of the 13th section, which was agreed to.

Mr. REDDING moved to fill the blank with "forty thousand dollars," which motion was lost.

Mr. REDDING further moved to fill the blank with the words "thirty-five thousand," which motion was lost.

On motion, the blank was filled by inserting the words, "thirty thousand."

Mr. KENAN moved to amend the 15th section by adding after the words "1857," in the third line, the words, "the sum of fifteen hundred dollars be appropriated to pay the salary of the Assistant Keeper," which motion was agreed to.

Mr. KENAN moved further to amend by striking out of the 16th section the words "for the rent of a suitable place to hold the sessions of the Supreme Court," and to strike out the words "five hundred," and insert the words "three hundred," which motion was agreed to.

Mr. GRESHAM moved to strike out the words "fifty dollars," in the 18th section, and insert the words "one hundred dollars," which motion was lost.

Mr. THORNTON moved to amend the same section by adding the following, which was agreed to, to-wit:

"And that his Excellency, the Governor, be authorized to draw his warrant on the Treasury in favor of L. E. Bleckley, N. J. Hammond and A. J. Hansell, respectively, for such sum as he may deem a fair, just and reasonable compensation as committeemen, for their services in examining the Revised Code of Georgia, under a resolution of the General Assembly

of the 19th February, 1866, so soon as said committee shall have made their final report."

Mr. KENAN moved to amend the 21st section by striking out the words "five hundred for assistant clerk," and insert the words "three hundred and fifty," which motion was agreed to.

Mr. OWENS moved to amend by striking out the whole of said section, which motion was lost.

Mr. C. H. SMITH moved to amend the 20th section by giving the Secretary of the Senate and Clerk of the House of Representatives the additional sum to each of two hundred and fifty dollars, which was agreed to.

Mr. C. H. SMITH moved further to amend the 22d section by increasing the pay of the Journalizing Clerk of the Senate to five hundred dollars, which motion was lost.

Mr. BROWN moved to amend the 22d section by striking out the words "five hundred," and insert the words "three hundred and fifty," which motion was agreed to.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills:

A bill to change the name of the Georgia Air Line Railroad Company to the name of the New York & New Orleans Air Line Railroad Company, and to authorize it to consolidate in part or in whole with other railroads, so as to secure the transportation of passengers and freight through the State of Georgia.

A bill to amend an act entitled an act to define and regulate court contracts, and to prescribe the manner of enforcing the same in the County Courts.

A bill to alter and change the line between the counties of Walker and Chattooga.

They have concurred in the amendments of the Senate to the following bills of the House of Representatives:

A bill to prevent persons from interfering so as to induce laborers or servants to abandon their contracts, or to employ such without the consent of their original employer, before the expiration of their contract.

A bill to regulate the manner of giving in land for taxation, and the sale and redemption thereof, and for other purposes.

A bill to fix the times of holding the Supreme Court, and to regulate proceedings therein.

The following message was received from his Excellency, the Governor, through Mr. Hunter, his Secretary, to-wit:

Mr. President: I am directed by the Governor to return to the Senate, in which it originated, an act for the relief of Albert Fields, of the county of Dougherty, and to legalize the marriage between him and Caroline C. Floyd, of Dougherty county, accompanied by a communication in writing.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bill:

A bill to incorporate the Savannah, Skidaway & Seaboard Railroad Company, for the purpose of opening a railroad communication from the city of Savannah to the adjacent sea islands.

They have adopted a substitute for the following bill of the Senate, in which they invite the concurrence of this branch of the General Assembly:

A bill to exempt from levy and sale certain property of every debtor in this State, and for other purposes.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills:

A bill to amend section 3624 of the Code of Georgia.

A bill to change the name of the Young America Fire Company of the city of Savannah, and for other purposes.

They have also agreed to a resolution in relation to Inspectors of Timber, in which they invite the concurrence of this branch of the General Assembly.

Pending the consideration of the general appropriation bill, on motion, the Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.,

The SENATE met pursuant to adjournment.

On motion, the further consideration of the appropriation bill was postponed until to-morrow morning.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to aid by endorsement of the State the bonds of the Muscogee Railroad Company, in order to enable said company to effect a connection with Barnesville.

The Committee on Internal Improvements, to whom this bill was referred, propose to amend by adding the following as an additional section, to-wit:

Be it further enacted, That the said bonds so endorsed shall not be sold for less than ninety cents, and that the Muscogee Railroad shall create an annual sinking fund of two per cent. on the amount of bonds endorsed by the State, which shall be invested in State bonds.

Also, to amend by striking out the word "less," in the last line of the second section, and inserting the word "more;" and with these amendments they recommend the passage of the bill.

On motion, the amendments were agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and the Senate took up the report of the Committee of the Whole on the bill to regulate the manner in which the Penitentiary shall be managed, and to provide for farming out the same.

The Judiciary Committee, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

Mr. MOORE, Chairman of the Committee on the Judiciary, made the following report:

Mr. President: The Judiciary Committee, to whom were referred sundry bills, have had them under consideration, and direct me to report thereon as follows:

A bill to regulate the manner in which the Penitentiary shall be managed, and to provide for farming out the same: which they recommend do pass.

A bill to alter and change the 4249th and 4250th paragraphs of the Code of Georgia: which they recommend do pass.

A bill to relieve the estate of John C. Dumas, of Jones county, deceased: which they recommend do pass.

A bill to regulate continuances, and for other purposes: which they recommend do not pass.

A bill to amend an act entitled an act to define and regulate court contracts, and to prescribe the manner of enforcing the same in the County Court, approved March 17th, 1866: which they recommend do not pass.

A bill to authorize the County Judge, of Chatham county, to take the list of persons subject to jury duty from the Receiver's Digest of taxes made in the year 1866, the City Registry, and to put such persons in the jury box who are subject to jury duty, and who are not on the Digest or City Registry; to throw out the present jury tickets and to make new ones and place them in the box, and for other purposes: which they recommend do pass.

And a joint resolution for the pardon of John McMahon,

now confined in the Penitentiary for life : a bill having passed the Senate effecting the object sought to be accomplished by this resolution, the committee, for this reason, report against the adoption of it.

Mr. SMITH, chairman of the Committee on Enrollment, reported as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following acts, to-wit:

An act to change the county line between the counties of Appling and Coffee.

Also, an act to compensate grand and petit jurors of the Superior, Inferior and County Courts, in the county of Decatur, in this State, and to authorize the levy of an extra tax for said purposes.

Also, an act to amend an act entitled an act to make uniform the laws of this State, for the collection of costs, and other purposes, assented to 17th April, 1863, so far as it relates to the county of Lincoln.

Also, an act to provide a college for the benefit of agriculture and the mechanic arts in the State of Georgia, under acts of Congress approved respectively 2d July, 1862, and 14th April, 1864.

Also, an act to authorize the Inferior Court of DeKalb county to increase the fees of jailor for said county.

Also, an act to prevent obstructions in the Okoloknee river, so far as relates to the counties of Thomas and Colquitt, and for other purposes.

Also, an act to authorize the Empire State Iron and Coal Mining Company to establish an office at Chattanooga, or some other place out of the State.

Also, an act to exempt persons actually engaged in attending to a grist mill from jury duty.

Also, an act to amend the 3253d section of the Code of Georgia.

Also, an act to legalize the acts of the Inferior Court of Echols county.

Also, an act to change the line between the counties of Wilcox and Pulaski.

Also, an act to alter and amend section 4283 of the Code of Georgia.

Also, an act to amend the act incorporating the city of Americus, in the county of Sumter, and the several acts amendatory of said incorporating act.

Also, an act to repeal an act assented to December 11th, 1858, to change the lines between the counties of Dougherty and Worth, and thereby re-establish the original line.

Also, an act to amend the 2d section of an act to incorpo-

rate the Georgia Home Insurance Company, of the city of Columbus, assented to December 12th, 1859.

Also, an act to legalize certain acts of the Fulton Loan and Building Association and the Stonewall Building and Loan Association.

Also, an act to repeal an act entitled an act to amend the several acts regulating roads in this State, so far as respects the operation of said acts in the counties of Bryan, Liberty, McIntosh, Glynn, Camden and Wayne, assented to December 8th, 1806, and an act to amend an act entitled an act to exempt certain persons of McIntosh county from road duty, and for other purposes therein named, approved January 19th, 1852, so as to make the same general in its operation, so far as the county of McIntosh is concerned, assented to February 18th, 1854, and for other purposes.

Also, an act to alter and amend the 638th section of the Code of Georgia.

Also, an act to prescribe the mode of electing the Mayor and members of council of the city of A lanta.

Also, an act for the relief of certain persons therein named.

Mr. C. H. SMITH, Chairman from the Committee on Finance submitted the following report:

Mr. President: The Committee on Finance have had under consideration the following bill of the House, to-wit:

A bill to be entitled an act to provide a mode to furnish transportation to soldiers in traveling to and from their homes to the place or places designated as places to supply maimed soldiers with a leg or an arm: which they recommend do pass as amended.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Grand Lodge of the Order of the Knights of Jericho, of the State of Georgia.

The report of the committee was disagreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to revive and declare of force an act to incorporate the town of Waynesboro', in the county of Burke, assented to December 10th, 1812, and the several acts amendatory thereof to amend said acts, to enlarge the powers of the commissioners of said town, to extend the corporate limits thereof, to declare valid the election of the present board of commissioners, to make legal all ordinances and by-laws adopted by them, and for other purposes therein mentioned.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the town of Senoid, in the county of Coweta, and to appoint commissioners of the same, and to point out the mode of electing commissioners and other officers of said town, and to confer certain powers on the commissioners thereof, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the resolution in reference to the pardon of John McMahon, now confined in the Penitentiary for life.

On motion, the same was postponed indefinitely.

The Senate took up the message of the House of Representatives in reference to the bill of the Senate to incorporate the stockholders of the Cartersville & Van Wert Railroad Company, which the House of Representatives had passed with the following proviso, to-wit :

“Provided that nothing in this act shall be so construed as to impair, abridge or conflict with any of the privileges or rights granted to or contained in the charter of the Polk Slate Quarry Railroad Company, of this State.”

Also, to add after the name of John L. Rowland, in the third line of the first section, the names of “J. B. Parrott, J. W. Curry, Wm. T. Wofford and Wm. T. Burge.”

On motion, the amendments were concurred in.

The Senate took up the message of the House of Representatives on the bill of the Senate to exempt from levy and sale certain property of every debtor in this State, and for other purposes, which the House of Representatives had passed by the following substitute, to-wit :

A BILL

To be entitled An Act to amend Section 3d, Article 4th, of the Revised Code of Georgia.

The General Assembly of the State of Georgia do enact, That section 3d and article 4th of the Revised Code of Georgia be amended as follows :

2013. In addition to the property now exempt under the laws of this State, the following property of every debtor shall be exempt from levy and sale by virtue of any process whatever under the laws of this State, nor shall any valid lien be created thereon, except in the manner hereinafter pointed out, but shall remain for the use and benefit of the debtor or his family.

SECTION 1. Fifty acres of land in addition to what is now exempt, and five acres for each of his or her children under eighteen years of age. This land may include the dwelling

house, at the option of the owner, provided the value of such house and improvements does not exceed the sum of eight hundred dollars in addition to the amount now allowed by law for such house and improvements: *Provided, further*, that none of the above land be within the limits of any city, town or village, and does not include any cotton or wool factory, saw or grist mill, or any other machinery propelled by water or steam, the value of which does not exceed the sum of three hundred dollars in addition to what is now allowed by law: *And provided, also*, that such land shall not derive its chief value from other causes than its adaptation to agricultural purposes, or in lieu of the above land, real estate in a city, town or village, not exceeding fifteen hundred dollars in addition to what is now allowed by law.

SEC. 2. One horse or mule in addition to the one now allowed by law; also, one cow and calf in addition to those now allowed; also, ten head of hogs, ten head of sheep, fifty dollars worth of provisions, and five dollars worth for each minor child in addition to what is now allowed by law.

SEC. 3. One ox cart or wagon.

SEC. 4. No person shall be entitled to the benefits of this act until the purchase money for the property claimed to be exempt shall have been paid.

SEC. 5. All laws and parts of laws militating against this act be and the same are hereby repealed.

On motion, the amendment was concurred in.

On motion, the Senate took up the message of the House of Representatives in relation to the resolution authorizing the Governor to appoint commissioners to the World's Fair in Paris, in 1867, at their own expense, which the House of Representatives had agreed to with the following amendment, to-wit:

By inserting after the word "Augusta" the words, "and such other persons as the Governor may appoint."

On motion, the amendment was concurred in.

The following bills of the House of Representatives were read the first time, to-wit:

A bill to incorporate the town of McIntosh, at Indian Springs, in the county of Butts, and to amend an act passed 23d December, 1837.

A bill to amend an act to incorporate the Augusta and Summerville Railroad Company, approved March 20th, 1866.

A bill to authorize the Inferior Courts of Thomas and Mitchell to issue bonds for the purpose of taking stock in the South Georgia and Florida Railroad.

A bill enabling married women to renounce their right to

dower and twelve months' support in and from real estate mortgaged to loan and building associations.

A bill to amend an act entitled an act to amend the act incorporating the city of Thomasville, and to grant certain privileges to the same, approved March 6th, 1856, so far as regards the first section of said act.

A bill to extend the provisions of an act entitled an act to amend several acts now in force regulating the fees of magistrates and constables in this State, so far as relates to the counties of Bibb, Richmond, Monroe and Lee, and provide the mode of collecting the same, approved January 22d, 1852, so as to include the magistrates and constables of the county of Muscogee, and to provide for the collection of the same.

A bill to amend the 1453d section of the Code of Georgia, so far as to authorize the corporate authorities of the city of Brunswick to appoint commissioners of pilotage for St. Andrew's bar and the Great and Little Satilla rivers.

A bill to incorporate the Savannah, Skidaway & Seaboard Railroad Company.

A bill to change the name of the Georgia Air Line Railroad Company to the name of the New York & New Orleans Air Line Railroad Company, and to authorize it to consolidate in part or in whole with other railroads, so as to secure the transportation of passengers and freights through the State of Georgia.

A bill to authorize guardians, administrators, executors and all other persons acting in a fiduciary capacity to compromise all doubtful debts, when the best interests of the parties thus represented will thereby be promoted.

A bill to incorporate the Flat Shoals Manufacturing Company in the counties of Meriwether and Pike.

A bill to consolidate the offices of Treasurer and Steward of the Lunatic Asylum, and to define the duties of said officer.

A bill to change the name of the Young America Fire Company of the city of Savannah, and for other purposes.

A bill to amend an act entitled an act to define and regulate court contracts, and to prescribe the manner of enforcing the same in the County Courts.

A bill to make permanent the county site of Bulloch county, and to incorporate the same, and for other purposes.

A bill to amend section 3624 of the Code of Georgia.

A bill to alter and change the line between the counties of Walker and Chattooga.

A bill to incorporate the Atlanta Mining and Land Company.

A bill to amend the laws of this State so as to authorize

commissioners appointed by the Ordinary to set apart the year's support to which widows and children of deceased persons are entitled under existing laws, to pass, repass and adjust equities of the parties to such application, as between them and the estate from which said support is sought.

A bill to repeal an act entitled an act to add lot of land No. 46, in 30th district, originally Lee, now Schley, to the county of Sumter, assented to April 13th, 1863.

A bill to add an additional section to an act amendatory of the law relating to the establishment of lost papers, approved 7th March, 1866.

A bill to authorize the Justices of the Inferior Court of Chatham county to require the attendance of the Justices of the Peace at elections, and for other purposes.

A bill to amend sections 2014, 2015, 2016, 2017 and 2020 of the Code, and for other purposes.

A bill to amend an act entitled an act to alter and amend the Penal Code, approved March 20th, 1866.

A bill to incorporate the town of Attapulcus, in the county of Decatur, and to provide for the election of commissioners for the same.

A bill to make it a misdemeanor to hunt with fire arms, or a dog or dogs on the Sabbath day, in certain counties in this State therein named.

A bill to alter and amend the second section of an act entitled an act to alter and amend an act incorporating the trustees of Christ Church, in the city of Augusta, and to change the name thereof to the First Presbyterian Church of the city of Augusta, assented to December 29th, 1836.

A bill to amend an act entitled an act to incorporate the Savings Bank of Augusta, approved 21st March, 1866.

A bill to amend an act entitled an act authorizing the arrest by the marshal of the village of Sparta, without warrant, and the confinement in the common jail of the county of Hancock, all persons violating the laws passed by the commissioners of said village, against drunkenness and other gross and immoral conduct.

A bill to reduce the bond of the Sheriff of Baker county.

A bill to enable the city of Columbus to maintain a public school in said city, and to use the lot known as the Female Academy lot and building for the same.

A bill to amend the 3333d and the 3334th sections of the Code of the State of Georgia.

A bill for the relief of A. Carnes and S. W. Peck, of the county of Cherokee.

A bill to incorporate the Bartow Foundry and Manufac-

turing Company, in the county of Bartow, and to define the rights, privileges and liabilities of the same.

A bill to incorporate the Kellogg Gold Mining and Manufacturing Company.

A bill to make it penal to fish or hunt on the enclosed lands in certain counties.

A bill to change the time of holding the Court of Ordinary in the county of Terrell.

A bill for the relief of John N. Sleight, of the county of Paulding, and D. A. Bishop and Ruald Johnson, securities on the bond of Robert Hendrix, indicted in Bartow Superior Court, for simple larceny.

A bill to amend an act entitled an act to appropriate money to pay D. B. Sanford to bring up the unfinished business of the late clerk of the Supreme Court, R. E. Martin, deceased, approved 6th March, 1866.

A bill to authorize the making of parties in certain cases therein mentioned.

A bill to alter and amend the oath of retail vendors of spirituous liquors.

A bill to change the line between Lowndes and Echols counties, and for other purposes.

A bill to authorize the Inferior Court of Echols county to regulate and prescribe the rates of ferriage in said county, and for other purposes.

A bill to incorporate the Gainesville and Dahlonga Railroad Company, and for other purposes.

A bill to change the time of holding the semi-annual terms of the County Court of Spalding county, and for other purposes.

A bill to authorize the City Council of Savannah to lay down and construct carriage railways in the streets of Savannah, and to operate and work the same either directly for the corporation of Savannah, or by contract or agreement with other persons, and for other purposes in this act mentioned.

A bill to consolidate the offices of sheriff and special bailiff in the county of Polk.

A bill to amend section 3530 of the Code of Georgia.

A bill to regulate the payment and collection of jury fees in the county of Clinch.

A bill to alter and amend section 1377 of the Code of this State.

A bill to compensate election clerks in Meriwether county.

A bill to incorporate the Buena Vista Manufacturing Company, in the county of Baldwin.

A bill to change the line between the counties of Baker and Early.

A bill to alter and fix the times for holding the Superior Courts in the counties of Colquitt, Lowndes, Brooks and Thomas.

A bill to authorize the Southern & Western Fire, Marine and Accident Insurance Company of New Orleans to establish branches in the State of Georgia.

A bill to alter and amend an act to incorporate Washington Institute, a high school organized by an association of Baptist churches, known as the Washington Association, and located in Hancock county, and incorporate trustees for the same, and to change the name of the village of Buffalo, in said county, and for other purposes, assented to December 13th, 1858.

A bill to amend the 3621st section of the Code of Georgia.

A bill to increase the fees of jailors, for dieting prisoners, in the county of Chattahoochee.

A bill to incorporate the town of Bascomb, in the county of Screven, to appoint commissioners for the same, and for other purposes.

A bill to authorize the incorporation of the Homestead or Building Association in this State.

A bill to consolidate the offices of sheriff and special bailiff of the county of Polk.

On motion, the same was withdrawn.

The following bills of the House of Representatives were severally read the second time and referred to the Committee on the Judiciary, to-wit :

A bill to levy and collect a tax for the support of the government for the year 1867, and for other purposes.

A bill for the relief of Nancy E. Hancock.

A bill to incorporate an insurance company in the city of Bainbridge, to be called the National Insurance Company.

The following bills of the House of Representatives were severally read the second time and referred to the Committee on Internal Improvements, to-wit :

A bill to incorporate the Atlanta Manufacturing and Mining Company.

A bill to incorporate the Atlanta Depository.

The following bills of the House of Representatives were read the second time, to-wit :

A bill to change the time of holding the Superior Court of Lee county.

A bill to give landlords a lien upon the crops of tenants for stock, farming utensils and provisions furnished such tenants for the purpose of making their crops.

A bill to incorporate the Fulton Savings Bank.

A bill to authorize the Justices of the Inferior Court of the county of Lowndes to issue bonds of said county to raise money to build a court house and jail in said county, and for other purposes.

A bill to legalize the marriages of colored ordained ministers of the gospel, and also to authorize such colored ordained ministers, or ministers of African descent, to solemnize future marriages between freedmen and freedwomen of African descent only.

On motion, the rules were suspended, and the following message from his Excellency, the Governor, was taken up and read, as follows :

EXECUTIVE DEPARTMENT, }
MILLEDGEVILLE, 11th December, 1866. }

To the Senate :

I return to the Senate, in which it originated, "An Act for the relief of Albert Fields, of the county of Dougherty, and to legalize the marriage between him and Caroline C. Floyd, of Dougherty county," with the reasons that have induced me to withhold from it my assent.

The following facts of the case are developed by the recitals contained in the bill, viz: That Fields married many years since ; that after living together several years, he and his wife disagreed and separated—that she emigrated to Texas, and was subsequently reported dead, believing which he married a second time, and that the first wife is in fact still living. It does not appear that he has ever been divorced from her.

The objects contemplated by the act are to release him from the pains and penalties incurred by his second marriage, and to legalize that marriage "*to all intents and purposes.*" If the facts recited in the act be susceptible of proof, Fields could not be convicted of polygamy under section 4416 of the Code, which defines the offence and prescribes its punishment, and therefore the act is not necessary to his defence.

But it is in legalizing the second marriage that we encounter an insuperable difficulty. There is no attempt by this act to divorce Fields from the wife whom he first married, and any such attempt, if made, must fail, for lack of power in the General Assembly under the Constitution. That marriage, therefore, would continue to be valid after the passage of this act ; and if by it the second marriage be made valid "*to all intents and purposes,*" Fields will, by express permission of law, have two wives—a case of legalized polygamy will exist in Georgia. Precedents of this sort once set, are apt to be followed, and such cases might soon be so multiplied as to familiarize the public mind to some extent

with what we have heretofore regarded as a reproach to Christian civilization. It might occur that a man so situated would choose to live in open cohabitation with his two wives alternately, or with both together, and the law could not interfere. Of course, this supposed case is only intended to illustrate the nature of such legislation, not as applying to the parties named in the act. I presume nothing against them. Some, or all of them, may be very worthy persons, but great questions of public policy and public morality are not, therefore, to be ignored. Taking for true the statements of the bill, upon the discovery of the unfortunate mistake he had made, Fields and his second wife were not remediless. It would only have been necessary for them, from conscientious motives, and out of respect to law and to public opinion, to separate themselves for a while, until he could, by a proceeding in court, conformably to the Constitution, procure a divorce, and then to have their nuptials legally solemnized. Then facts would have been judicially ascertained which now rest solely upon statements made in the petition of Fields.

CHARLES J. JENKINS.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills:

A bill for the relief of John N. Sligh, of the county of Paulding, and D. A. Bishop and Ruald Johnson, securities on the bond of Robert Hendrix, indicted in Bartow Superior Court for simple larceny.

A bill to amend the 1453d section of the Code of Georgia, so far as to authorize the corporate authorities of the city of Brunswick to appoint commissioners of pilotage for St. Andrew's bar and the Great and Little Satilla rivers.

They have passed the following bill of the Senate:

A bill to amend the charter of the Planters' Convention of the State of Georgia, so far as to change the name thereof.

They have passed the following bill of the Senate, with amendments thereto, in which they invite the concurrence of this branch of the General Assembly:

A bill to incorporate the stockholders of the Cartersville and Van Wert Railroad Company.

They have concurred in the Senate's amendments to the amendments of the House of Representatives to the following bill of the Senate:

A bill to alter and amend an act approved March 17th, 1866, entitled an act to organize a County Court, define its jurisdiction, and for other purposes.

They have also concurred in the amendments of the Senate to the following bills of the House of Representatives:

A bill incorporating the Island Manufacturing Company, in the county of Bartow, on the Etowah river.

A bill to authorize administrators to perfect titles in certain cases.

A bill to alter and amend an act to alter and amend the Penal Code of Georgia.

A bill to appropriate a fund for the burial of the Confederate dead.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Georgia Company for mining and other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives for the relief of G. W. Puckett, of the county of Cherokee.

The report of the committee was disagreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to change the line between the counties of Quitman and Stewart, so as to include the residence of William J. Brown, of the county of Stewart, within the limits of the county of Quitman.

The report of the committee was disagreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend an act to extend the corporate limits of the town of Hamilton, Harris county, and to create and give additional powers to the corporate authority of said town, assented to December 19th, 1859.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend an act entitled an act to incorporate the town of Valdosta, in the county of Lowndes, for the election of Mayor, Councilmen and Marshal for the same, passed the 7th of December, 1860.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to declare in full force an act entitled an act to incorporate the town of Dahlonega, in the county of Lumpkin, assented to December

11th, 1858, and an act amendatory thereof, assented to December 10th, 1859, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the first section of an act authorizing the appointment of vendue masters in the several corporate towns and cities in this State, approved 21st February, 1866.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to repeal an act entitled an act to point out the mode of paying the fees of the Solicitor General of the Eastern Judicial District of Georgia, in Chatham county, in certain cases, and for other purposes therein enumerated.

The report of the committee was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills:

A bill authorizing the incorporation of homestead or building associations in this State.

A bill to amend an act entitled an act to amend the act incorporating the city of Thomasville, and to grant certain privileges to the same, approved March 6th, 1856, so far as regards the first section of said act.

A bill to make it penal to fish or hunt upon enclosed lands in the counties of Burke, Chatham, Stewart, Muscogee, Lowndes, Liberty, Campbell, Jefferson, Troup, Glynn, Hancock, Glascock, Elbert, Bryan, Oglethorpe, Fulton, Early and Wilkinson.

They have passed the following bills of the Senate:

A bill to alter and change the line between the counties of Twiggs and Jones, so as to add the residence of James Baker, from the county of Twiggs, to the county of Jones.

A bill to amend an act entitled an act to incorporate the town of White Plains, in Greene county, approved March 3d, 1856.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to relieve the estate of John C. Dumas, late of Jones county, deceased.

The Judiciary Committee, to whom this bill had been referred, reported the same back to the Senate, with the recommendation that it do pass.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the charter of the city of Brunswick.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the charter of Athens Fire Company, No. 1.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to make valid the issuing of scrip by the Inferior Court of the county of Lowndes, to build a jail.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills of the Senate:

A bill to amend an act incorporating the Savannah, Griffin & North Alabama Railroad Company.

A bill to incorporate the Wilcoxon Manufacturing Company.

A bill to incorporate the Middle River Mining Company, to confer upon said company all the rights, powers, privileges and immunities, and to impose all the restrictions and liabilities which are granted to and imposed upon Little River Mining Company by act of incorporation, approved March 21st, 1866, so far as they are consistent with the provisions of this act, and for other purposes.

A bill to incorporate the Rutherford Mining Company of Georgia.

A bill to incorporate the Chanubbee Manufacturing Company.

A bill to incorporate the town of Tebeauville, in the county of Ware, and to provide for the election of commissioners of the same.

A bill to continue in force and amend an act entitled an act to incorporate the town of Fairburn in the counties of Fayette and Campbell, approved 17th February, 1854.

A bill for the relief of Mrs. Lizzie Glover, of the county of Campbell.

A bill to incorporate the Hall Chestatee Mining Company, and for other purposes.

A bill to authorize the mayor and aldermen of the city of

Bainbridge, to issue city bonds, and invest the same, and to levy an extra tax for their redemption.

A bill to amend the 877th section of the Code of Georgia, and to provide that under certain circumstances therein mentioned, the provisions of the Code in reference to the issue of new State bonds in lieu of lost bonds, shall apply to stolen bonds.

Also, by a constitutional majority, ayes 85, noes 7, the following bill of the Senate :

A bill to incorporate the Peoples' Savings Bank, of Dalton.

Also, the following bill of the Senate, with amendments, wherein they invite the concurrence of this branch of the General Assembly.

A bill to so far modify the laws against lotteries as to enable William W. Boyd, Thomas W. Chandler and A. B. Reagan, of the city of Atlanta, State of Georgia, to adopt a scheme to raise money for the purpose of building a home for, and supporting indigent widows and orphans; the home to be called the "Masonic Orphans' Home."

The House of Representatives insist upon their amendments to the following bill of the Senate :

A bill to educate the indigent maimed soldiers of Georgia, and to provide the necessary means for the same.

They have concurred in the Senate amendments to the following bill of the House, with the exception of the amendment relating to the County Court of Richmond county, in which they refuse to concur :

A bill to change the time for holding the Superior Courts for the county of Richmond, and for other purposes.

They refuse to concur in the amendment of the Senate to the following bill of the House :

A bill to authorize administrators to perfect titles in certain cases.

They have rejected the following bill of the Senate :

A bill for the relief of James M. Bryant, of Fulton county.

They have rejected, by indefinite postponement, the following bills of the Senate :

A bill to alter and fix the time of holding the Superior Courts, in the county of Houston.

A bill to define the mode and manner of fixing the salaries of Superintendent, Auditor and Treasurer of the Western & Atlantic Railroad.

A bill to allow the transfer of license to retail spirituous liquors in the county of Stewart, and to repeal an act to reg-

ulate the sale of spirituous liquors, in the county of Stewart, approved December 19th, 1859.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the Senate adjourned until to-morrow morning at 9½ o'clock.

WEDNESDAY, December 12th, 1866.

The Senate met pursuant to adjournment, and was opened by prayer from the Rev. Mr. YARBROUGH.

Mr. PARRIS moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the general appropriation bill, which motion was agreed to.

Mr. BUTLER moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the bill of the House of Representatives for the relief of G. W. Puckett, of the county of Cherokee, which motion was agreed to.

Mr. THORNTON made the following report:

Mr. President: The Committee on the State of the Republic, to whom was referred a memorial and resolution to the Congress of the United States, and to appoint commissioners to visit Washington City, have had the same under consideration, and have directed me to report the same back with a recommendation that they do not pass.

B. A. THORNTON,
Chairman.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills of the Senate:

• A bill to repeal an act entitled an act to amend the 3984th and 3985th sections of the Code of Georgia, and for other purposes.

• A bill to alter and amend an act entitled an act to incorporate in the State of Georgia, an insurance company, to be called the Great Southern Insurance Company, assented to December 17th, 1861.

A bill to incorporate the Iron & Mining Company of Dade county, Georgia.

A bill to add an additional section to the 4th division, part 4th, title 1st, of the Penal Code.

A bill to incorporate the Allatoona Mining and Manufacturing Company.

A bill to prevent persons bathing in streams or other waters on the Sabbath day on roads leading to and from places of religious worship.

They have also passed by a constitutional majority, ayes 88, noes 38, the following bill of the Senate:

A bill for the pardon of Creed T. Wise, a convict in the Penitentiary of Georgia, for murder.

Also, by a constitutional majority, ayes 80, noes 31, the following Senate bill:

A bill to donate the Okefenokee swamp lands, belonging to the State of Georgia, as a permanent endowment to the Georgia State Orphan Home.

They have passed the following bill of the Senate, with amendments thereto, in which they invite the concurrence of this branch of the General Assembly.

A bill to authorize suits to be brought against any railroad or express company in this State, and against the Superintendent of the Western & Atlantic Railroad, in any county in which said railroad or express company may have a place of business, and an officer or agent.

The House adheres to its amendment to the following Senate bill:

A bill to amend the law in regard to effecting service of bills in equity, to marshal the assets of estates of deceased persons.

They have rejected the following bills of the Senate:

A bill to make valid certain judgments rendered by Inferior Courts of this State.

A bill to define and fix the time when the late war between the United States and the Confederate States shall be considered as having terminated, and for other purposes.

A bill to change the line between the counties of Cherokee and Milton, so as to include the residences and farms of Mathias Bates, Lewis M. Hook, Charles Nix and R. J. Bates, of the county of Cherokee, within the county of Milton.

A bill to alter and amend section 4476, of the Code of Georgia, so as to make the maiming of hogs or other animals a misdemeanor.

A bill to amend the 3753d section of the Code of Georgia.

Mr. BROWN, Chairman of the Committee on Enrollment, reported as duly enrolled and signed by the Speaker of the House of Representatives and ready for the signature of the President of the Senate, the following acts and resolutions, to-wit:

An act to amend the 2133d section of the Code of Georgia.

Also, an act to change the line between the counties of Catoosa and Walker.

Also, an act to amend section 3883 of the Code of Georgia.

Also, an act to amend the eighth section of an act entitled an act to incorporate the Memphis Branch Railroad and Steamboat Company of Georgia, approved December 21st, 1839.

Also, an act to change the line between the counties of Carroll and Heard, so as to include the residence of Michael C. Sumerlin, of the county of Heard, within the county of Carroll.

Also, an act to confer on the Justices of the Inferior Court of the several counties of this State the power to fix the fees of the jailors for dieting prisoners.

Also, an act to relieve Frederick Cox and Harrison Rogers.

Also, an act to alter and amend section 1815 of the Revised Code.

Also, an act to regulate the building of fish traps in the Withlacoochee river.

Also, an act to change the line between the counties of Johnson and Emanuel, so as to include the residence and farm of Henry Neel, of Johnson county, within the county of Emanuel.

Also, an act to add lot of land No. (84) eighty four, in the fifth (5th) district of the county of Wilcox, to the county of Pulaski.

Also, an act to repeal an act entitled an act to regulate the sale of spirituous liquors in the county of Stewart, and for other purposes, assented to December 19th, 1859.

Also, an act to amend the 3465th section of the Code of Georgia.

Also, an act to legalize the acts of the Justices of the Inferior Court of Pickens county and State of Georgia, in a certain case.

Also, an act to amend an act incorporating the Southern Insurance and Trust Company, passed December 17th, 1866.

Also, an act allowing executors and administrators of other States and Territories of the United States to qualify and act as such executors and administrators in this State in certain cases.

Also, an act to explain the 3d section of an act entitled an act to prescribe and regulate the relation of parent and child among persons of color, in this State, and for other purposes, approved 9th March, 1866, and to add an additional section thereto.

Also, an act to amend an act entitled an act for the relief

of maimed and indigent soldiers and officers of this State who belonged to military organizations of this State in the State or Confederate States armies, approved the 12th March, 1866.

Also, an act to declare the effect of 2d section of an ordinance, passed by the Convention, November 8th, 1866, to make valid private contracts entered into and executed during the war against the United States, and to authorize the courts of this State to adjust equities, etc.

Also, an act to amend the 1669th paragraph, part 2d, title 2d, chapter 1st, article 1st, section 2d of the Revised Code of Georgia, and to legalize certain judgments and decrees of the Superior Courts of this State in divorce cases.

Also, an act to repeal an act entitled an act to provide for the election of a superintendent of public roads and bridges in the counties of Wilkes, Muscogee and Lincoln, and such other counties as may adopt the provisions of this act, and to define his rights and duties, and to repeal all laws inconsistent with this act, so far as it is applicable to the counties of Lincoln and Wilkes.

Also, an act to relieve Helen Lapham, formerly Helen Chaffin, and Mary Ann Drakeford, formerly Mary Ann Terry, from the legal disabilities to contract the marriage relation, and of all penalties for having contracted the same.

Also, an act for the relief of Messrs. Seago, Palmer & Co.

Also, an act for the relief of E. B. Loyless, of Webster county.

Also, a resolution requesting his Excellency, the Governor, to pardon John H. Perkins, a convict in the Penitentiary, from the county of Banks, under the charge of horse stealing.

Also, an act to appropriate a fund for the burial of the Confederate dead.

Also, an act to regulate the manner of giving in land for taxation, and the sale and redemption thereof, and for other purposes.

Also, an act to fix the time of holding the Supreme Court and to regulate proceedings therein.

Also, an act to incorporate the Mechanics' Steam Power Company.

Also, an act to incorporate the town of Senoid, in the county of Coweta, and to appoint commissioners of the same, and to point out the mode of electing commissioners and other officers of said town, and to confer certain powers on the commissioners thereof, and for other purposes therein mentioned.

On motion, the Senate went into Committee of the Whole on the general appropriation bill, Mr. MANSON in the chair, and after spending some time therein, on motion of Mr.

MOORE, the committee rose, and, through their chairman, reported the following amendments, to-wit:

1st. To strike out the words "two hundred and twenty-five dollars," and insert the words "three hundred dollars" before the words "to each of the State attorneys and Solicitors General," in the first section; also, to strike out the words "nine hundred and sixty," and insert the words "nine hundred and fifty," in the same section; also, to amend the second section by striking out all of said section making an appropriation for repairing and keeping in order the State House clock; also, by adding the following section, to be known as the second section, to-wit:

SECTION 2d. *And be it further enacted,* That the sum of five hundred and eighty-three dollars and thirty-three cents be appropriated to pay the guardian for the use of the minor children of Judge Thomas W Thomas, deceased, being the amount due him on his salary as Judge of the Northern Judicial Circuit, at the time of his death; and the further sum of six hundred and twenty-five dollars be, and the same is hereby appropriated to pay the last quarter's salary of the Hon. W W Holt, Judge of the Superior Courts of the Middle Judicial Circuit, ending in February, 1862, who died before drawing the same, and the Governor is hereby authorized to issue his warrant for the same, in favor of A. C. Holt, the son of W W Holt.

Also, to add at the close of the eleventh section the words, "and that the sum of sixteen hundred dollars be appropriated to pay the clerk in the Secretary of State's office."

And to amend the thirteenth section by striking out the words "twenty-five" before the word "thousand" in the first line, and insert the word "thirty."

Also, to amend the fifteenth section, by inserting after the words "eighteen hundred and sixty-seven," in the fourth line, the words "the sum of fifteen hundred dollars be appropriated to pay the salary of the assistant keeper."

Also, to amend the sixteenth section, by striking out the word "five" before "hundred" in the seventh line, and insert the word "three," and by striking out all after the word "pay" in the eighth line, to the word "for" in the 10th line.

Also, to add the following words at the close of the eighteenth section: "And that his Excellency, the Governor, be authorized to draw his warrant upon the treasury in favor of L. E. Bleckley, N. J. Hammond and A. J. Hansell respectively, for such sum as he may deem fair, just and reasonable compensation as committeemen, for their services in examining the Revised Code of Georgia, under a resolution of the General Assembly of the 19th February, 1866, so soon as said committee shall have made their final report."

Also, to amend the twentieth section, by adding at the close of said section the words, "and the sum of two hundred and fifty dollars each as additional compensation."

Also, to amend the twenty-first section, by striking out the words "three hundred and fifty" before "dollars" in the first and second lines, and insert in lieu thereof the words "five hundred."

Also, to amend the twenty-second section, by striking out the words "three hundred and fifty" before the word "dollars" in the sixth line, and insert the words "five hundred."

Also, to amend the twenty-eighth section, by striking out the word "on" in the eighteenth line.

Also, to amend the thirty-third section, by adding the following words, "And the further sum of fifty dollars is hereby appropriated to the Rev. E. W. Warren, who preached the fast day sermon 22d November last, upon the call of the General Assembly."

Also, by adding the following as an additional section, to-wit:

"Be it further enacted, That the sum of seventy-five dollars be paid each, or so much thereof as may be necessary, to the Secretary of the Senate and Clerk of the House of Representatives, to defray the contingent expenses of their respective offices."

Also, to add the following as an additional section, to-wit:

"Be it further enacted, That in all cases where the General Assembly direct the performance of any service or labor, for which no provision is made for compensation, the Governor is hereby authorized to draw his warrant on the treasury for such sum or sums as in his judgment may be a just compensation; and in all cases which, in the opinion of the Governor, the preservation of the public property require labor or service or expenditure, the Governor shall be authorized to draw his warrant upon the treasury to pay for the same."

Mr. GRESHAM moved to strike out the thirty-fifth section of the bill—

Whereupon the yeas and nays were required to be recorded, and are yeas 13, nays 17

Those voting in the affirmative are Messrs.

Beall, O. P.	Butler,	Owens,
Black,	Crawford,	Quillian,
Blount,	Fuller,	Redding,
Brown,	Gresham,	Smith, C. H.
		Wilcox.

Those voting in the negative are Messrs.

Barwick,	Griffin,	Simmons,
Bedford,	Johnson, J. F.	Strickland,
Daley,	Manson,	Thornton,
England,	McDaniel,	Turner.
Ezzard,	Parris,	VanDuzer.
Freeman,	Russell,	

Yeas 13; nays 17. So the motion was lost.

The report of the committee as amended was agreed to, the bill was read the third time, and upon the question, "Shall this bill now pass?" the yeas and nays were required to be recorded, and are yeas 11, nays 19.

Those voting in the affirmative are Messrs.

Barwick,	Ezzard,	Smith, C. H.
Carter,	Gresham,	Strickland,
Crawford,	Manson,	Turner.
Daley,	Simmons,	

Those voting in the negative are Messrs.

Beall, O. P.	Freeman,	Parris,
Bedford,	Fuller,	Quillian,
Black,	Griffin,	Redding,
Blount,	Johnson, J. F.	Russell,
Butler,	McDaniel,	Thornton,
England,	Owens,	VanDuzer,
		Wilcox.

Yeas 11; nays 19. So the bill was lost.

Mr. BROWN, from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President of the Senate, and Speaker of the House of Representatives, the following acts, to-wit:

An act to incorporate the Memorial Association of Resaca, and confirm the titles to lands.

An act to amend the charter of the Planters' Convention of the State of Georgia, so far as to change the name thereof.

An act to so alter and change the county line between the counties of Twiggs and Jones, so as to add the residence of James Baker from the county of Twiggs to the county of Jones.

An act to amend an act entitled an act to incorporate the town of White Plains, in Greene county, approved March 3d, 1856.

Also, a resolution authorizing his Excellency, the Governor, to appoint commissioners to the World's Fair, in the city of Paris, in the year 1867.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bill:

A bill to create a new judicial circuit, to be called the Atlanta Circuit, to provide for the election of a Judge and Solicitor General for the same, and for other purposes.

They have concurred in the amendments of the Senate to the following bill of the House of Representatives:

A bill to aid, by endorsement of the State, the bonds of the Muscogee Railroad Company, in order to enable said company to effect a connection with Barnesville.

The Senate took up the report of the committee on the bill of the House of Representatives to levy and collect a tax for the support of the government for the year 1867, and for other purposes.

On motion, the Senate resolved itself into a Committee of the Whole on the foregoing bill, Mr. Black in the Chair, and after spending some time therein, the committee rose and through their chairman reported progress.

On motion, the Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment, and went into Committee of the Whole, Mr. Black in the chair, on the bill of the House of Representatives, to levy and collect a tax for the support of the government for the year 1867, and for other purposes; and after spending some time therein, the committee rose, and through their chairman reported the following amendments, to-wit:

1st. To amend the 5th item of the 2d section by striking out the words "and in unincorporated towns five dollars;" and by striking out the words "in incorporated towns" in the same.

Also, by striking out the 12th item of the 2d section.

Also, to amend the 13th paragraph of the 2d section by inserting after the words "*ad valorem* tax," the words "said sales to be returned to the collector, and the taxes on said sales payable quarterly, on the 1st day of April, July, October and January in each year, upon the amount sold the preceeding quarter.

Also, to amend by adding the following, to be known as sections 3 and 4.

SECTION 3. *Be it further enacted*, That all National Banks, Railroad Companies in operation, whose charters do not forbid so high a tax, all Express Companies and Insurance Companies incorporated by the laws of this State, shall pay

an annual tax of one half of one per cent. on their capital stock. The said companies shall make their returns and pay their tax as provided in the section 755 of the Code, provided that the stock owned by the State of Georgia in any railroad within its limits, shall not be taxed.

SEC. 4. *Be it further enacted*, That all agents of Insurance Companies from other States, or of foreign Insurance Companies doing business in this State, shall pay a tax of two per cent. on the amount of premiums received by them, and all agents of Express Companies from other States, doing business in this State, shall pay a tax of one per cent. on the gross amount of their receipts at their offices in this State, to be given in and paid as in the preceding section.

Also, to insert after the word "taxation," in the 6th section the words "provided, however, that all plantation tools over the value of three hundred dollars, and all mechanical tools over the value of three hundred dollars, shall be subject to taxation *ad valorem*."

On motion, the amendments were agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

Mr. BROWN, from the Committee on Enrollment, reported as duly enrolled, and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following acts, to-wit :

An act to authorize the mayor and aldermen of the city of Bainbridge, to issue city bonds, and invest the same, and to levy an extra tax for their redemption.

An act to amend the 877th section of the Code of Georgia, and to provide that under certain circumstances therein mentioned, the provisions of the Code in reference to the issue of new State bonds in lieu of lost State bonds, shall apply to stolen bonds.

An act to alter and amend an act approved March 17th, 1866, entitled an act to organize a County Court, define its jurisdiction, and for other purposes.

An act to incorporate the Middle River Mining Company, to confer upon said company all the rights, powers, privileges and immunities, and to impose all the restrictions and liabilities which are granted to and imposed upon the Little River Mining Company by act of incorporation, approved March 21st, 1866, so far as they are consistent with the provisions of this act, and for other purposes.

An act to incorporate the Hall Chestatee Mining Company, and for other purposes.

An act for the relief of Mrs. Lizzie Glover, of the county of Campbell.

An act to incorporate the stockholders of the Cartersville and Van Wert Railroad Company.

An act to incorporate the Wilcoxon Manufacturing Company.

An act to incorporate the Rutherford Mining Company of Georgia.

An act to incorporate the Peoples' Savings Bank of Dalton.

An act to amend section 3d, article 4th, of the Revised Code of Georgia.

An act to repeal an act entitled an act to amend the 3984th and 3985th sections of the Code of Georgia, and for other purposes.

An act to amend an act incorporating the Savannah, Griffin & North Alabama Railroad Company.

The following message was received from his Excellency the Governor, through Mr. Hunter, his Secretary, to-wit:

Mr. President: I am directed by the Governor to return to the Senate in which it originated, a bill entitled "An act for the relief of the people of Georgia, and to prevent the levy and sale of property under certain circumstances," accompanied by a communication in writing.

The message was then read, and is as follows :

EXECUTIVE DEPARTMENT,
MILLEDGEVILLE, 12th December, 1866.

To the Senate :

I return, unapproved, to your body in which it originated, "An act for the relief of the people of Georgia, and to prevent the levy and sale of property under certain circumstances."

On the 6th of March last I returned to you an act bearing the same title, with the additional words "and within a limited time," with my reasons for disapproving it. The objections stated to that act resting mainly on its violation of the Constitutions of the United and of the State of Georgia, as I understand them, apply with equal force to this, and it is quite unnecessary to repeat them. Subsequent reflection, and lights coming from other sources, have tended to confirm the opinions then expressed. I do not expect to make converts, but without the slightest disrespect to a co-ordinate branch of the Government, it shall be my care to keep the department confided to me right upon the record, according to my own firm convictions.

CHARLES J. JENKINS.

On motion, the Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

THE SENATE met pursuant to adjournment, and took up the message of his Excellency, the Governor, in reference to the bill for the relief of the people of Georgia and to prevent the levy and sale of property under certain circumstances, which he had returned to the Senate without his sanction.

Mr. O. P. BEALL moved that the bill be passed over the veto of his Excellency, the Governor, and a constitutional majority being required to pass the same, the yeas and nays were required to be recorded, and are yeas 21, nays 8.

Those voting in the affirmative are Messrs.

Barwick,	Ezzard,	Russell,
Beall, O. P.	Freeman,	Simmons,
Black,	Fuller,	Smith, C. H.
Blount,	Griffin,	Strickland,
Brown,	Johnson, J. F.	Turner,
Carter,	Parris,	VanDuzer,
England,	Quillian,	Wilcox.

Those voting in the negative are Messrs.

Butler,	Kenan,	Owens,
Crawford,	McDaniel,	Redding,
Gresham,	Moore,	

Yeas 21 ; nays 8. So the bill was passed by a constitutional majority over the veto of his Excellency, the Governor.

Mr. SMITH, chairman of the Committee on Enrollment, reported as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following acts, to-wit:

An act to amend the 1st section of an act authorizing the appointment of vendue masters in the several corporate towns and cities in this State, approved 21st February, 1866.

Also, an act to make valid the issuing of scrip by the Inferior Court of the county of Lowndes, to build a jail.

Also, an act to amend an act to extend the corporate limits of the town of Hamilton, Harris county, and to create and give additional power to the corporate authority of said town, assented to December 19th, 1859.

Also, an act to make the employment of any servant whatever, during his term of service, illegal, and declare the same a misdemeanor.

Also, an act to revive and declare of force an act to incorporate the town of Waynesboro', in the county of Burke, assented to December 10th, 1812, and the several acts amendatory thereof to amend said acts, to enlarge the powers of the commissioners of said town, to extend the corporate limits thereof, to declare valid the election of the present board of commis-

sioners, to make legal all ordinances and by-laws adopted by them, and for other purposes therein mentioned.

Also, an act to declare in full force an act entitled an act to incorporate the town of Dahlonega, in the county of Lumpkin, assented to December 11th, 1858, and an act amendatory thereof, assented to December 10th, 1859, and for other purposes.

Also, an act to amend the charter of Athens Fire Company, No. 1.

Also, an act to repeal an act entitled an act to point out the mode of paying the fees of the Solicitor General of the Eastern Judicial District of Georgia, in Chatham county in certain cases, and for other purposes therein enumerated.

Also, an act to relieve the estate of John C. Dumas, of Jones county, deceased.

Also, an act to amend an act entitled an act to incorporate the town of Valdosta, in the county of Lowndes, for the election of Mayor, Councilmen and Marshal for the same, passed the 7th of December, 1860.

Also, an act to incorporate the Georgia Company, for mining and other purposes.

Also, an act to aid, by endorsement of the State, the bonds of the Muscogee Railroad Company, in order to enable said company to effect a connection with Barnesville.

Also, an act to amend the charter of the city of Brunswick.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk, thereof:

Mr. President: The House of Representatives have passed the following bills of the Senate:

A bill to extend the aid of the State to the Savannah, Griffin & North Alabama Railroad, and for other purposes.

A bill to declare the force and effect of a certain bond executed by the State of Georgia through Campbell Wallace, Superintendent of the Western & Atlantic Railroad, and John Jones, Treasurer of said State, on the first day of April A. D. 1866, and to make said bond valid for the purposes therein set forth, as now understood and agreed by the parties.

A bill to except the county of Worth from the operation of section 586, exempting road hands from being compelled to work on roads more than three miles from their residence.

A bill to extend the provisions of section 4220 of the Code to all cases in which the penalty of death is prescribed.

A bill to authorize the redemption of a certain part of the bonds of the State of Georgia.

A bill to change the place of holding legal sales in the county of Muscogee.

A bill to remit the tax upon liquors for the first quarter of the year 1866, and for other purposes.

A bill to authorize the Central Railroad & Banking Company of Georgia to change the line of its railroad track, on certain conditions.

A bill to punish insurrection or attempt at insurrection by the convicts of the Penitentiary and chain gang.

A bill to pay the jury fees in the county of Worth to the jury by the plaintiff or appellant, and authorizing the Inferior Court of said county to assess and collect an extra tax in said county to pay juries—petit, seventy-five cents, and grand one dollar per day.

A bill for the relief of Martha A. Britt, of the county of Crawford.

A bill to repeal all laws forbidding aliens to hold and own lands in Georgia.

A bill to amend section 980 of the Code of Georgia, by striking out the words "of which he is a resident," after the words "Congressional district," in said section.

A bill to alter and change the time of holding the semi-annual sessions of the County Court of Columbia county.

A bill for the relief of James H. Holland, of the county of Jackson.

A bill to authorize the owners of lands lying on Middle river, in the county of Banks, to remove obstructions from the same, and for other purposes.

A bill to incorporate the Lewis Manufacturing and Mining Company.

They have passed the following bill of the Senate, with amendments, wherein they invite the concurrence of this branch of the General Assembly.

A bill to incorporate the Albany & Atlantic Railroad Company.

The House concurs in the Senate amendments to the following bill of the House, with the exception of the second amendment, in which it refuses to concur:

A bill to levy and collect a tax for the support of the government for the year 1867, and for other purposes.

The Senate took up the message of the House of Representatives in relation to the bill of the Senate to so far modify the laws against lotteries as to enable William W. Boyd, of the city of Atlanta, State of Georgia, to adopt a scheme to raise money for the purpose of building a home for and supporting indigent widows and orphans, the home to be called the Masonic Orphan's Home; which the House of Representatives had passed with the following amendments, to-wit:

To strike out the names of "Thomas W. Chandler and A. B. Reagan," and insert after the word "Georgia," in the sixth line, the words "and Mrs. William Wilson, widow of Colonel W. T. Wilson, 7th Georgia, Mrs. Mary Ann Will-

iams, Mrs. Phoebe Pember, Mrs. Charles D. Pearson, Mrs. Rosa Delauney, Mrs. Sarah Doles, or so many of them as may accept the same, a majority of whom shall exercise the powers herein granted; and also to insert the words "upon oath" in the sixth line of the second section.

Also, to amend, by inserting the words "in this act named" in the fourth line, third section.

Also, to insert after the word "corporate" in the third line of the fourth section the words, "when so created."

On motion, the amendments were concurred in.

On motion of Mr. MOORE, a committee of conference was appointed, consisting of Messrs. VANDUZER and GRESHAM, on the part of the Senate, to take into consideration the disagreement between the two houses on the bill to amend the law in regard to effecting service of bills in equity to marshal the assets of estates of deceased persons.

The Senate took up the message of the House of Representatives in reference to the bill of the Senate to educate the indigent maimed soldiers of Georgia, and to provide the necessary means for the same, with the amendments which the House of Representatives had agreed to, and upon which they insist.

On motion, the bill was laid on the table for the present.

The Senate took up the message of the House of Representatives in reference to the bill of the Senate to authorize suits to be brought against any railroad or express company in this State, and against the superintendent of the Western & Atlantic Railroad, in any county in which said railroad or express company may have a place of business and an officer or agent, which the House of Representatives had passed with the following amendments, to-wit:

By adding the following words in the proviso of said act, after the word "originated," the words, "or contract to be performed."

Also, to add the following as an additional section, to-wit:

"That service in all such suits shall be perfected by personally serving a copy of such bill, writ, or other process, upon such agent of said railroad company or express company in the county where suit is authorized to be commenced by this act, and that judgment or decrees obtained in cases so commenced as aforesaid, shall bind the property of defendant as fully as though service had been effected on the President or other chief officer."

On motion, the amendments were concurred in.

The Senate took up the message of the House of Representatives on the bill of the House of Representatives to levy

and collect a tax for the support of the government for the year 1867, which the Senate had passed with certain amendments, and which the House of Representatives had concurred in, with the exception of the second amendment.

On motion, the Senate insisted upon its amendment.

The Senate took up the message of the House of Representatives in reference to the bill to authorize administrators to perfect titles in certain cases, which the Senate had passed with a certain amendment.

On motion, the Senate receded from their amendment.

The Senate took up the message of the House of Representatives in relation to the bill of the House of Representatives to change the time of holding the Superior Courts for the county of Richmond, and for other purposes, which the Senate had passed with amendments, and which the House of Representatives had concurred in, with the exception of the fourth amendment.

On motion, the Senate receded from its fourth amendment.

On motion, the rules were suspended, and the Senate took up the resolution commendatory of the Southern University series of school text books.

On motion, the resolution was agreed to.

The Senate took up the resolution of the House of Representatives in relation to inspectors of timber.

On motion, the resolution was indefinitely postponed.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills of the Senate:

A bill to allow disabled soldiers in this State to peddle without license.

A bill to amend an act entitled "An Act to establish a permanent board of education for the city of Savannah, and to incorporate the same, and for other purposes," approved March 21st, 1866, and to change the name and extend the authority and powers of said board, and for other purposes.

A bill to authorize the Inferior Court of Bibb county to issue their bonds for the purpose of raising funds to build a new court house and jail.

A bill to authorize the confinement of convicts in the jails, and prescribe the manner of determining the compensation of jailors therefor.

They have also passed over the veto of his Excellency, the Governor, by a constitutional majority, ayes 103, nays 7, the following bill of the Senate:

A bill for the relief of the people of Georgia, and to prevent the levy and sale of property under certain circumstances.

They have passed the following bill of the Senate, with amendments thereto, in which they invite the concurrence of this branch of the General Assembly :

A bill to amend the several acts in relation to the City Court of Savannah.

The Senate took up the resolution of the House of Representatives requesting the Governor to appoint a committee of physicians to inspect Dr. Bly's artificial limbs.

On motion, the same was laid on the table for the balance of the session.

On motion, the rules were suspended, and the Senate took up the message of the House of Representatives in relation to the bill of the Senate to amend the several acts in relation to the City Court of Savannah, which the House of Representatives had passed with the following amendment, to-wit :

To amend the fourth section by striking out the words "2,500" and insert the words "2,000, which shall be paid out of the city treasury."

On motion, the amendment was concurred in.

The Senate took up the message of the House of Representatives in reference to the bill of the Senate to incorporate the Albany & Atlantic Railroad Company, which the House of Representatives had passed with the following amendment, to-wit :

To amend the second section, by striking out after the word "provided," in the fourteenth line, all to the word "mile" inclusive in the eighteenth line of the same section, and insert the following in lieu thereof :

"That the charge of transportation or conveyance shall not exceed fifty cents per hundred pounds on heavy articles; and ten cents per cubic foot on articles of measurement for every one hundred miles, and five cents per mile for every passenger."

On motion, the amendments were concurred in.

The Senate took up the resolution of the House of Representatives in relation to the reserved lands.

On motion, the resolution was agreed to.

The Senate took up the resolution of the House of Representatives returning thanks to the people of Kentucky for their liberal donation to the destitute poor of this State.

On motion, the resolution was concurred in.

On motion, the rules were suspended, and Mr. MOORE reported the following resolution :

Resolved, That a seat on the floor of the Senate be tendered General Philip Cook during his stay in the Capitol.

On motion, the rules were suspended, and the resolution was taken up, read and agreed to.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Villa Rica Mining Company.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Fulton Savings Bank.

On motion, the same was referred to the Committee on Banks.

The Senate took up the report of the Committee of the Whole on the reconsidered bill of the House of Representatives for the relief of G. W. Puckett, of the county of Cherokee.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the 1971st and the 1973d sections of the Code of Georgia.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the resolution of the House of Representatives, recommending the Governor to pardon Charles W. Crumby, a convict.

On motion the resolution was concurred in.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to regulate the fees of Justices of the Peace, in certain cases therein specified.

The report of the Committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives concerning the advertisement of Sheriff's sales.

The report of the Committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to define and regulate the laws governing the twelve months' allowance for the support of widows and children.

The report of the Committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to alter and change the time of holding the Superior Courts in the counties of the Blue Ridge Circuit of this State.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to change the time of holding the Superior Court of Lee County.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to make legal the sale of the Bainbridge Academy lot, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to change the time of holding the County Court of Clay County.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the Penal Code.

On motion the same was referred to the Committee on the Judiciary.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend an act entitled an act to incorporate Cotton Hill Male and Female Seminary in the Village of Cotton Hill, Clay County, and to appoint Trustees for the same. Approved March 6, 1856.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to authorize the Judge of Chatham County to take the list of persons subject to jury duty from the Receiver's Digest of Taxes, made in the year 1866, the City Registry, and to put such persons in the jury box who are subject to jury duty, and who are not on the Digest or City Registry, to throw out the present jury tickets and to make new ones, and to place them in the box, and for other purposes.

The Committee on the Judiciary to whom this bill was referred, reported in favor of its passage.

The report of the Committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend an act entitled an act to define and regulate Court contracts, and to prescribe the manner of enforcing the same, in the County Courts, Approved March 17, 1866.

The Committee on the Judiciary to whom this bill was referred, reported adversely to the passage of the same.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Van Wert Quarrying and Mining Company.

The Committee on Internal Improvements, to whom this bill was referred, proposed to amend by striking out the words "perpetual succession" in the 16th line of the 1st Section, and with this amendment they recommend the passage of the bill.

On motion the amendment was agreed to.

The report of the Committee as amended was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to legalize marriages by colored ordained ministers of the Gospel, and also to authorize such colored ordained minister or ministers of African descent, to solemnize future marriages, between freedmen and freedwomen of African descent only.

The report of the Committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to authorize the Justices of the Inferior Court of Lowndes County to issue bonds of said county to raise money to build a Court House and Jail in said county, and for other purposes.

The report of the Committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to authorize bailiffs to summon grand and petit jurors in certain cases and for other purposes.

The report of the Committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to regulate continuances, and for other purposes.

The Judiciary Committee, to whom this bill had been re-referred reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to alter and change the 4249th and 4250th paragraphs of the Code of Georgia.

The Committee on the Judiciary, to whom this bill had been recommitted, recommend the passage of the bill.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to provide a mode to furnish transportation to soldiers in traveling to and from their homes to the place or places designated as places to supply maimed soldiers with a leg or an arm.

The Committee on Finance to whom this bill had been referred, reported the following as a substitute for the first section, which was agreed to, to-wit:

Be it enacted by the General Assembly, That whenever any maimed soldier who may be entitled to an artificial arm or leg, under any act passed by the General Assembly, shall desire transportation by railroad, from the place where such legs or arms are furnished, he shall procure from the ordinary of his county, a certificate under seal of his office, that he is so entitled, and such number of duplicates as there are different roads over which he may pass in going to and returning from said place, which certificate shall be taken up by the conductor of said road, and such duplicate shall be a sufficient voucher when presented to the Treasurer of this State to entitle said road to receive the amount due for transportation.

The committee propose to amend further by striking out all of the 2d section.

On motion, the amendments were agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The following bill of the House of Representatives was read the first time, to-wit:

A bill to create a new Judicial Circuit to be called the Atlanta Circuit, to provide for the election of a Judge and Solicitor General for the same, and for other purposes.

The following bills of the House of Representatives were severally read the second time, to-wit:

A bill to add an additional section to an act amendatory of

the law relating to the establishment of lost papers, approved 7th March, 1866.

A bill to amend the laws of this State so as to authorize commissioners appointed by the Ordinary to set apart the year's support to which widows and children of deceased persons are entitled under existing laws, and for other purposes.

A bill to authorize the making of parties in certain cases therein mentioned.

A bill to alter and amend the oath of retail vendors of spirituous liquors.

A bill to incorporate the Buena Vista Manufacturing Company, in the county of Baldwin.

A bill to authorize the Southern & Western Fire, Marine and Accident Insurance Company of New Orleans to establish branches in the State of Georgia.

A bill to increase the fees of jailors, for dieting prisoners, in the county of Chattahoochee.

A bill to compensate election clerks in Meriwether county.

A bill to regulate the payment and collection of jury fees in the county of Clinch.

A bill to amend the 3621st section of the Code of Georgia.

A bill to change the line between the counties of Baker and Early.

A bill to change the line between Lowndes and Echols counties, and for other purposes.

A bill to alter and fix the times for holding the Superior Courts in the counties of Colquitt, Lowndes, Brooks and Thomas.

A bill to incorporate the town of Attapuligus, in the county of Decatur, and to provide for the election of commissioners for the same.

A bill to incorporate the town of McIntosh, at Indian Springs, in the county of Butts, and to amend an act passed 25th December, 1837.

A bill to authorize the Inferior Courts of Thomas and Mitchell to issue bonds for the purpose of taking stock in the South Georgia and Florida Railroad.

A bill to enable the city of Columbus to maintain a public school in said city, and to use the lot known as the Female Academy lot and building for the same.

A bill for the relief of A. Carnes and S. W. Peck, of the county of Cherokee.

A bill to incorporate the town of Bascomb, in the county of Screven, to appoint commissioners for the same, and for other purposes.

A bill to amend an act entitled an act authorizing the arrest by the marshal of the village of Sparta, without war-

rant, and the confinement in the common jail of the county of Hancock, all persons violating the laws passed by the commissioners of said village, against drunkenness and other gross and immoral conduct.

A bill to incorporate the Bartow Foundry and Manufacturing Company, in the county of Bartow, and to define the rights, privileges and liabilities of the same.

A bill to consolidate the offices of treasurer and steward of the Lunatic Asylum, and to define the duties of said officer.

A bill to change the name of the Georgia Air Line Railroad Company to the name of the New York & New Orleans Air Line Railroad Company, and to authorize it to consolidate in part or in whole with other railroads, so as to secure the transportation of passengers and freights through the State of Georgia.

A bill to make permanent the county site of Bulloch county, and to incorporate the same, and for other purposes.

A bill to incorporate the Kellogg Gold Mining and Manufacturing Company.

A bill to amend sections 2014, 2015, 2016, 2017 and 2020 of the Code, and for other purposes.

A bill to amend an act entitled an act to alter and amend the Penal Code, approved March 20th, 1866.

A bill to change the time of holding the semi-annual terms of the County Court of Spalding county, and for other purposes.

A bill to repeal an act entitled an act to add lot of land No. 46, in 30th district, originally Lee, now Schley, to the county of Sumter, assented to April 13th, 1863.

A bill to make it penal to fish or hunt upon enclosed lands in the counties of Burke, Chatham, Stewart, Muscogee, Lowndes, Liberty, Campbell, Jefferson, Troup, Glynn, Hancock, Glasscock, Elbert, Bryan, Oglethorpe, Fulton, Early and Wilkinson.

A bill to authorize the Justices of the Inferior Court of Chatham county to require the attendance of the Justices of the Peace at elections, and for other purposes.

A bill to change the name of the Young America Fire Company of the city of Savannah, and for other purposes.

A bill to authorize guardians, administrators, executors, and all other persons acting in a fiduciary capacity, to compromise all doubtful debts, when the best interests of the parties thus represented will thereby be promoted.

A bill to incorporate the Flat Shoals Manufacturing Company in the counties of Meriwether and Pike.

A bill to change the time of holding the Court of Ordinary of the county of Terrell.

A bill to amend the 1453d section of the Code of Georgia,

so far as to authorize the corporate authorities of the city of Brunswick to appoint commissioners of pilotage for St. Andrew's bar and the Great and Little Satilla rivers.

A bill to authorize the city council of Savannah to lay down and construct carriage railways in the streets of Savannah, and to operate and work the same, either directly for the corporation of Savannah or by contract or agreement with other persons, and for other purposes in this act mentioned.

A bill to authorize the Inferior Court of Echols county to regulate and prescribe the rates of ferriage in said county, and for other purposes.

A bill to amend an act entitled an act to incorporate the Savings Bank of Augusta, approved 21st March, 1866.

A bill to reduce the bond of the Sheriff of Baker county.

A bill to alter and amend section 1377 of the Code of this State.

A bill to amend an act entitled an act to amend the act incorporating the city of Thomasville, and to grant certain privileges to the same, approved March 6th, 1856, so far as regards the first section of said act.

A bill to alter and change the line between the counties of Walker and Chattooga.

A bill to make it a misdemeanor to hunt with fire arms, or a dog or dogs on the Sabbath day, in certain counties in this State.

A bill to incorporate the Savannah, Skidaway & Seaboard Railroad Company.

A bill to extend the provisions of an act entitled an act to amend several acts now in force regulating the fees of magistrates and constables in this State, so far as relates to the counties of Bibb, Richmond, Monroe and Lee, and provide the mode of collecting the same, approved January 22d, 1852, so as to include the magistrates and constables of the county of Muscogee, and to provide for the collection of the same.

A bill to amend the 3333d and the 3334th sections of the Code of the State of Georgia.

A bill to alter and amend the second section of an act entitled an act to alter and amend an act incorporating the trustees of Christ Church, in the city of Augusta, and to change the name thereof to the First Presbyterian Church of the city of Augusta, assented to December 29th, 1836.

A bill to alter and amend an act to incorporate Washington Institute, a high school organized by an association of Baptist churches, known as the Washington Association, and located in Hancock county, and for other purposes.

The following bills of the House of Representatives were

severally read the second time and referred to the Committee on Internal Improvements, to-wit :

A bill to amend an act to incorporate the Augusta and Summerville Railroad Company, approved March 20th, 1866.

A bill to authorize the incorporation of Homestead or Building Associations in this State.

A bill to incorporate the Atlanta Mining and Land Company.

A bill to incorporate the Gainesville & Dahlonega Railroad Company, and for other purposes.

The following bill of the House of Representatives was read the second time and referred to the Committee on Finance, to-wit :

A bill to amend an act entitled an act to appropriate money to pay D. B. Sanford to bring up the unfinished business of the late clerk of the Supreme Court, R. E. Martin, deceased, approved 6th March, 1866.

The following bills of the House of Representatives were severally read the second time and referred to the Committee on the Judiciary, to-wit :

A bill to amend section 3530 of the Code of Georgia.

A bill enabling married women to renounce their right to dower and twelve months' support in and from real estate mortgaged to loan and building associations.

A bill for the relief of John N. Sleigh, of the county of Paulding, and D. A. Bishop and Ruald Johnson, securities on the bond of Robert Hendrix, indicted in Bartow Superior Court, for simple larceny.

A bill to amend an act entitled an act to define and regulate court contracts, and to prescribe the manner of enforcing the same in the County Courts.

A bill to amend section 3624 of the Code of Georgia.

On motion, the Senate adjourned until 9½ o'clock to-morrow morning.

THURSDAY, December 13th, 1866.

THE SENATE met pursuant to adjournment, and was opened by prayer from the Rev. Dr. MANSON, of the Senate.

Mr. GRESHAM moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the general appropriation bill, which motion was agreed to.

On motion of Mr. GRESHAM, the Senate took up the foregoing bill.

Mr. REDDING moved to amend by striking out the words "fifteen hundred," in the 15th section, and insert the words "twelve hundred," which was agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

On motion, the rules were suspended, and the Senate took up the resolution in reference to memorializing the Congress of the United States for the admission of the Southern States, accompanied by a resolution.

The Committee on the State of the Republic, to whom the same had been referred, reported against the passage of the resolution.

On motion, the memorial and resolution were laid on the table for the balance of the session.

Mr. OWENS, from the Committee on Banks, submitted the following report:

Mr. President: The Committee have had under consideration a bill to be entitled an act to incorporate the Fulton Savings Bank, and have directed me to report, that they recommend it do not pass.

GEO. S. OWENS, *Chairman*.

Mr. BROWN, from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President of the Senate, and Speaker of the House of Representatives, the following acts, to-wit:

An act to incorporate the Allatoona Mining and Manufacturing Company.

An act for the pardon of Creed T. Wise, a convict in the Penitentiary of Georgia, for murder.

An act to donate the Okefenokee Swamp lands, belonging to the State of Georgia, as a permanent endowment to the Georgia State Orphan Home.

An act to incorporate the Chanubbee Manufacturing Company.

An act to incorporate the town of Tebeauville, in the county of Ware, and to provide for the election of commissioners of the same.

An act to prevent persons bathing in streams, or other waters, on the Sabbath day, on roads leading to and from places of religious worship.

An act to add an additional section to the 4th division, part 4th, title 1st, of the Penal Code.

An act to continue in force and amend an act entitled an act to incorporate the town of Fairburn, in the counties of Fayette and Campbell, approved 17th February, 1854.

An act to alter and amend an act entitled an act to incorporate, in the State of Georgia, an insurance company, to be called the Great Southern Insurance Company, assented to December 17th, 1861.

Mr. OWENS, from the Committee on Internal Improvements, submitted the following report:

Mr. President: The Committee have had under consideration several bills, and have directed me to report as follows:

A bill to be entitled an act to amend an act to incorporate the Augusta & Summerville Railroad Company, approved March 20th, 1866: which they recommend do pass.

Also, a bill to be entitled an act to incorporate the Atlanta Mining and Land Company: which they recommend do pass.

Also, a bill to be entitled an act to incorporate the Atlanta Manufacturing and Mining Company, which they propose to amend, by striking out the words "perpetual succession" in the eleventh line of the first section, and by adding at the close of said section the words, "the principal place of business of said company shall be at Atlanta": and with these amendments, they recommend its passage.

Also, a bill to be entitled an act to incorporate the Gainesville & Dahlongega Railroad Company, and for other purposes, which they propose to amend, by inserting after the word "road," in the ninth line of the fourth section, the words, "not to exceed one hundred feet on each side": and with this amendment, they recommend its passage.

Also, a bill to be entitled an act to incorporate the Atlanta Depository: which they recommend do pass.

Also, a bill to be entitled an act authorizing the incorporation of Homestead or Building Associations in this State: which they recommend do not pass.

GEO. S. OWENS, *Chairman*.

Permission was granted to Mr. O. L. SMITH to record his vote in the negative, and Messrs. BEDFORD, DALEY and THORNTON in the affirmative, on the passage of the bill over the veto of his Excellency, the Governor, to prevent the levy and sale of certain property, within a limited period, in this State, and for other purposes.

On motion, the rules were suspended, and the Senate took up the message of the House of Representatives on the bill to educate the indigent maimed soldiers of Georgia, and to provide the necessary means for the same, which had passed the House of Representatives with an amendment, and disagreed to by the Senate, and insisted upon by the House of Representatives.

On motion, the Senate adhered to their disagreement to

the amendment, and invited a committee of conference, and appointed upon the part of the Senate Messrs. THORNTON and BUTLER.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Fulton Savings Bank.

The Committee on Banks, to whom this bill was referred, reported against the passage of the bill.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to authorize the Southern & Western Fire, Marine and Accident Insurance Company of New Orleans to establish branches in the State of Georgia.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to authorize the making of parties in certain cases therein mentioned.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to alter and amend the oath of retail vendors of spirituous liquors.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to alter and amend section thirteen hundred and seventy-seven (1377) of the Code of this State.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to change the time of holding the Court of Ordinary in the county of Terrell.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend an act entitled an act to alter and amend the Penal Code, approved March 20th, 1866.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend section 2014, 2015, 2016, 2017 and 2020 of the Code, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to change the name of the Young America Fire Company, of the city of Savannah, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to authorize the Justices of the Inferior Court of Chatham county to require the attendance of the Justices of the Peace at elections, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills of the Senate:

A bill to declare the force and effect of certain laws, and to declare the duty of sheriffs and other ministerial officers, and to relieve them from liability in such cases.

A bill to amend an act incorporating the Planters' Loan and Banking Association, approved the 27th of March, 1866.

A bill to protect the rights of married women in this State.

A bill to alter and amend an act entitled an act to incorporate the Madison Petroleum Company of Georgia.

A bill to regulate the building and repairing of party and other walls and fences in the city of Savannah, to declare the rights of lot owners in respect thereto, and to give to the city council of Savannah authority to make rules and regulations in the premises.

A bill declaratory of the force and effect of the Stay Laws of this State in reference to taxation by municipal corporations.

A bill to make valid the tax levied by the Inferior Court of Randolph county, for county purposes, for the year 1866.

A bill to amend an act entitled an act to incorporate the Sweetwater Manufacturing Company, of the county of Campbell, and to incorporate the Augusta Quoit Club, approved December 21st, 1849.

A bill for the relief of James C. Adams and James M. Hall, of the county of Pike.

They have passed the following bills of the Senate, with amendments, wherein they invite the concurrence of this branch of the General Assembly :

A bill to incorporate the Southern Railroad Company.

A bill to continue in force an act approved December 27th, 1847, entitled an act to incorporate the Atlanta & LaGrange Railroad Company.

A bill to provide for the filling the office of Judges of the Superior Court and Solicitors General in cases where, on the day fixed by the Constitution for said elections, there is no majority vote cast.

Mr. BROWN, chairman of the Committee on New Counties and County Lines, reported that the Committee have had under consideration—

A bill to be entitled an act to lay out and form a new county out of the counties of Coweta, Meriwether, Spalding and Fayette, and to organize the same : and recommend that it do not pass.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend an act entitled an act to appropriate money to pay D. B. Sanford to bring up the unfinished business of the late Clerk of the Supreme Court, R. E. Martin, deceased, approved 6th March, 1866.

On motion, the same was indefinitely postponed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to make it penal to fish or hunt on the enclosed lands in the counties of Burke, Chatham, Stewart, Muscogee, Lowndes, Liberty, Campbell, Jefferson, Troup, Glynn, Hancock, Glasscock, Elbert, Bryan, Oglethorpe, Fulton, Early and Wilkinson.

On motion of Mr. KENAN, the counties of Baldwin and Washington and Thomas were included in the provisions of the bill.

On motion of Mr. OWENS, the county of Camden was included in the provisions of the bill.

The report of the committee, as amended was agreed to, the bill was read the third time and passed under the following title, to-wit :

A bill to make it penal to fish or hunt on the enclosed lands in the counties of Burke, Chatham, Stewart, Muscogee, Lowndes, Liberty, Campbell, Jefferson, Troup, Glynn, Hancock, Glasscock, Elbert, Bryan, Oglethorpe, Fulton, Early, Wilkinson, Baldwin, Washington and Camden.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend an act to incorporate the Augusta & Summerville Railroad Company, approved March 20th, 1866.

The Committee on Internal Improvements, to whom this bill had been referred, reported favorably to its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the town of Attapulcus, in the county of Decatur, and to provide for the election of commissioners for the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to consolidate the offices of treasurer and steward of the Lunatic Asylum, and to define the duties of said officer.

The report of the committee was agreed to, the bill was read the third time and passed.

Mr. BROWN, from the Committee on Enrollment, reported as duly enrolled, and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following acts, to-wit :

An act to authorize the confinement of convicts in the jails, and prescribe the manner of determining the compensation of jailors thereof.

An act to alter and change the time of holding semi-annual sessions of the County Court of Columbia county.

An act to allow disabled soldiers in this State to peddle without license.

An act to except the county of Worth from the operation of section 586 exempting road hands from being compelled to work on roads more than three miles from their residence.

An act to repeal all laws forbidding aliens to hold and own lands in Georgia.

An act to remit the tax upon liquors for the first quarter of the year 1866, and for other purposes.

An act to amend section 980 of the Code of Georgia, by striking out the words "of which he is a resident" after the words "Congressional District," in said section.

An act to change the place of holding legal sales in the county of Muscogee.

An act for the relief of James H. Holland, of the county of Jackson.

An act to incorporate the Iron & Mining Company of Dade county, Georgia.

An act to incorporate the Lewis Manufacturing & Mining Company.

An act to authorize the redemption of a certain part of the bonds of the State of Georgia.

An act to extend the provisions of section 4220 of the Code to all cases in which the penalty of death is prescribed.

An act for the relief of Martha A. Britt, of the county of Crawford.

An act to authorize the Central Railroad and Banking Company of Georgia to change the line of its railroad track, on certain conditions.

An act to punish insurrection, or attempt at insurrection by the convicts of the Penitentiary and chain gang.

An act to authorize the Inferior Court of Bibb county to issue their bonds for the purpose of raising funds to build a new court house and jail.

Mr. C. H. SMITH, from the Committee on Finance, submitted the following report, to-wit:

Mr. President: The Finance Committee report that they have examined the books and accounts in the Comptroller's office. They find the books elegantly kept; clean and so thoroughly systematized that every entry is easily understood. The balances and various accounts are plainly and accurately made to distinctly appear. We but do our duty when we say that the books are highly creditable to that officer and his efficient clerk. They invited close examination and strict scrutiny. We did so, and the result is entirely satisfactory in every particular.

The same examination was made in the office of the Treasurer. His book compared with great accuracy to the amounts against him in the Comptroller's office. These books are also well and accurately kept. The balance sheet in the Comptroller's office required that the sum of \$319,-369.28½ should be in the Treasury. We found that sum there, consisting of certificates of deposit in the city of New York, Augusta, Macon and Savannah, together with greenbacks and national currency in the vaults.

We suggest the following recommendation in reference to the examination of these offices: That, at the organization of each Legislature, the President of the Senate shall appoint one, and the Speaker of the House two persons, who shall constitute a committee, to discharge this duty within ten days after their appointment.

C. H. SMITH, *Chairman.*

The Senate took up the report of the Committee of the

Whole on the bill of the House of Representatives authorizing the incorporation of homestead or building associations in this State.

The Committee on Internal Improvements, to whom this bill had been referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Atlanta Depository.

The Committee on Internal Improvements, to whom this bill had been referred, reported in favor of the passage of the same.

The report of the committee was agreed to, and a majority of two-thirds being necessary to pass the same, the yeas and nays were required to be recorded, and are yeas 19, nays 3.

Those voting in the affirmative are Messrs.

Black,	Freeman,	Russell,
Blount,	Fuller,	Simmons,
Brown,	Kenan,	Smith, C. H.
Butler,	Manson,	Smith, O. L.,
Carter,	Parris,	Strickland,
Ezzard,	Redding,	Thornton,
		Wilcox.

Those voting in the negative are Messrs.

Barwick,	Bedford,	Griffin.
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Yeas 19; nays 3. So the bill was passed by a constitutional majority.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Gainesville & Dahlonga Railroad Company, and for other purposes.

The Committee on Internal Improvements, to whom this bill was referred, proposed to amend the fourth section by inserting after the word "road," in the ninth line, the words "not to exceed one hundred feet on each side," and with this amendment they recommend the passage of the bill.

On motion, the amendment was agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Buena Vista Manufacturing Company, in the county of Baldwin.

The report of the committee was agreed to, the bill was read the third time and passed.

Mr. KENAN gave notice that he would move to reconsider the same on to-morrow.

On motion, the rules were suspended, and the Senate took up the report of the Committee of the Whole on the bill to lay out and form a new county out of the counties of Coweta, Meriwether, Spalding and Fayette, and to organize the same.

The Committee on New Counties and County Lines, to whom this bill had been referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Atlanta Manufacturing and Mining Company.

The Committee on Internal Improvements, to whom this bill was referred, propose to amend by striking out the words "perpetual succession," in the eleventh line of the first section, and by adding at the close of said section the words, "the principal place of business of said company shall be at Atlanta;" and with these amendments they recommend the passage of the bill.

On motion, the amendments were agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

Leave of absence was granted to the Senator from the 15th district after to-day, on account of ill health.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to make it a misdemeanor to hunt with fire-arms, or a dog or dogs, on the Sabbath day, in certain counties in this State therein named.

On motion, the following counties were included within the provisions of the bill, to-wit:

Wilkinson, Twiggs, Thomas, Carroll, Troup, Heard, Quitman and Webster.

On motion, the second section of the bill was stricken out.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

Leave of absence was granted to the Senator from the 21st district for the balance of the session, on account of indisposition.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to authorize the Inferior Courts of Thomas and Mitchell to issue bonds for the purpose of taking stock in the South Georgia & Florida Railroad.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives, to authorize the City Council of Savannah to lay down and construct carriage railways in the streets of Savannah, and to operate and work the same, either directly for the corporation of Savannah, or by contract or agreement with other persons, and for other purposes, in this act mentioned.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Savannah, Skidaway & Seaboard Railroad Company.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to change the time of holding the semi-annual terms of the County Court of Spalding county, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the town of McIntosh, at Indian Springs, in the county of Butts, and to amend an act passed 25th December, 1837.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to change the name of the Georgia Air Line Railroad Company to the name of the New York & New Orleans Air Line Railroad Company, and to authorize it to consolidate in part or in whole with other railroads, so as to secure the transportation of passengers and freights through the State of Georgia.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Atlanta Mining and Land Company.

The Committee on Internal Improvements, to whom this bill was referred, reported in favor of its passage.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to change the line between Lowndes and Echols, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend an act entitled an act to incorporate the Savings Bank of Augusta, approved 21st March, 1866.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to alter and fix the times for holding the Superior Courts in the counties of Colquitt, Lowndes, Brooks and Thomas.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to change the line between the counties of Baker and Early.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to make permanent the county site of Bulloch county, and to incorporate the same, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Bartow Foundry and Manufacturing Company, in the county of Bartow, and to define the rights, privileges and liabilities of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to repeal an act entitled an act to add lot of land No. 46, in 30th district originally Lee, now Schley, to the county of Sumter, assented to April 13, 1863.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to alter and amend the second section of an act entitled an act to alter

and amend an act incorporating the trustees of Christ Church, in the city of Augusta, and to change the name thereof to the First Presbyterian Church, of the city of Augusta, assented to December 29th, 1836.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Kellogg Gold Mining and Manufacturing Company.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to add an additional section to an act amendatory of the law relating to the establishment of lost papers.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to extend the provisions of an act entitled an act to amend the several acts now in force regulating the fees of magistrates and constables in this State, so far as relates to the counties of Bibb, Richmond, Monroe and Lee, and to provide the mode of collecting the same, approved January 22d, 1852, so as to include the magistrates and constables of the county of Muscogee, and to provide for the collection of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend an act entitled an act to amend the act incorporating the city of Thomasville, and to grant certain privileges to the same, approved March 6th, 1856, so far as regards the first section of said act.

The report of the committee was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills of the Senate:

A bill to declare certain persons competent witnesses, as in the act set out, and for other purposes.

A bill to regulate the manner in which the Penitentiary shall be managed, and to provide for farming out the same.

They have passed the following bill of the Senate, with

amendments, wherein they invite the concurrence of this branch of the General Assembly :

A bill to provide for education and to establish a general system of common schools.

They have rejected the following bills of the Senate :

A bill to alter and amend sections 3866 and 3868 of the Code, and to repeal section 3869 of the Code.

A bill to amend paragraph 1401, chapter 9th, part 1st, title 15th, of the Code of Georgia.

A bill for the relief of Justin L. Heath, of Burke county, and to make him capable of contracting and liable therefor.

A bill for the discharge of insolvent debtors, to regulate the mode and manner thereof, and the disposition of said insolvents' property, and for other purposes.

A bill to amend an act to organize a County Court, define its jurisdiction, and for other purposes, approved 17th March, 1866, and for the preservation and transfer of suits, writs and processes from the Inferior Court to the County Court, and for other purposes.

A bill to prohibit executors, administrators and guardians from leasing real estate for a longer period than one year, without first obtaining an order from the ordinary for that purpose.

A bill to authorize the Inferior Court of Crawford county to levy an extra tax to pay the indebtedness of said county.

A bill to regulate the mode of advertising sheriffs and constables sales in this State.

A bill to repeal the oath prescribed in the 1377th paragraph of the Revised Code of Georgia, to be taken by retailers of spirituous liquors.

A bill defining in what newspapers the ordinaries, clerks and sheriffs, in the several counties in this State shall run their advertisements.

A bill to increase the jail fees in Dougherty county, in certain cases.

A bill to allow ordinaries of this State to grant letters of administration, guardianship and dimission, and leave to sell land in certain cases, without publication of citation, as now required by law, and for other purposes.

A bill to prescribe the terms upon which marine, fire and life insurance companies, not incorporated by act of the General Assembly of the State of Georgia, shall be permitted to transact business within this State.

A bill to incorporate the Richmond County Agricultural Society, and to confer certain powers and immunities upon the same.

A bill to change the times of holding the monthly sessions of the County Courts of certain counties therein named:

Mr. OWENS, from the Committee on the Judiciary, made the following report:

Mr. President: The Judiciary Committee to whom were referred sundry bills, have had the same under consideration, and have directed me to report thereon as follows:

A bill to amend the penal laws of this State: which they recommend do not pass.

A bill to amend the 3530th section of the Code: which they recommend do not pass.

A bill to amend section 3624 of the Code of Georgia: which they recommend do pass.

A bill to give landlords a lien upon the crops of tenants, for stock, farming utensils and provisions furnished such tenants for the purpose of making their crops; which they recommend do pass, with this additional section, to-wit:

"And be it further enacted, That factors and merchants shall have a lien upon the growing crops, for provisions furnished and commercial manures, upon such terms as may be agreed upon by the parties."

A bill to amend the laws of this State so as to authorize commissioners appointed by the Ordinary to set apart the year's support to which widows and children of deceased persons are entitled under existing laws, to pass upon and adjust equities of the parties to such applications as between them and the estate from which said support is sought: which they recommend do not pass.

A bill to amend an act to define and regulate court contracts, and to prescribe the manner of enforcing the same in the County Courts: which they recommend do not pass.

A bill for the relief of John N. Sligh, of the county of Paulding, and D. A. Bishop and Ruald Johnson, securities on the bond of Robert Hendrix, indicted in Bartow Superior Court for simple larceny: which they recommend do not pass.

A bill enabling married women to renounce their right to dower and twelve months' support in and from real estate mortgaged to loan and building associations, which they recommend do not pass.

A bill for the relief of Nancy E. Hancock: which they recommend do not pass.

GEO. S. OWENS, *Chairman pro tem.*

Mr. O. L. SMITH, chairman of the Enrolling Committee, reported as duly enrolled and ready for the signature of the President of the Senate and the Speaker of the House of Representatives, the following act, to-wit:

To so far modify the laws against lotteries as to enable

William W. Boyd, of the city of Atlanta, State of Georgia, and Mrs. William Wilson, widow of Colonel W. T. Wilson, 7th Georgia, Mrs. Mary Ann Williams, Mrs. Phoebe Pember, Mrs. Charles D. Pearson, Mrs. Rosa E. Delauney, Mrs. Sarah Doles, or as many of them as may accept the same, a majority of whom shall receive the powers herein granted, to adopt a scheme to raise money for the purpose of building a home for, and supporting indigent widows and orphans—the home to be called the Masonic Orphans Home.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have concurred in the amendments of the Senate to the following bill of the House, with the exception of the fourth, eighth and sixteenth, in which they refuse to concur:

A bill for raising a revenue for the political year 1867, and to appropriate money for the support of the government during said year, and to make certain special appropriations.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to increase the fees of jailors for dieting prisoners in the county of Chattahoochee.

On motion, the same was indefinitely postponed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to alter and change the line between the counties of Walker and Chattooga.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to reduce the bond of the sheriff of Baker county.

The report of the committee was agreed to, the bill was read the third time and lost.

Mr. BEDFORD gave notice that he would move to reconsider the action of the Senate on the same on to-morrow morning.

On motion, the rules were suspended, and the Senate took up the message of the House of Representatives in relation to the bill of the House of Representatives for raising a revenue for the political year 1867, and to appropriate money for the support of the government during said year, and to make certain special appropriations, and for other purposes therein mentioned, which the Senate had passed with certain amendments, and which the House of Representatives had concurred in, with the exception of the fourth, eighth and sixteenth amendments.

On motion, the Senate insisted on the fourth and the sixteenth amendments, and receded from the eighth amendment.

The Senate took up the message of the House of Representatives on the bill of the Senate to provide for education, and to establish a general system of Georgia schools, which the House of Representatives had passed with the following proviso, to-wit:

“Provided, this bill shall have no force nor effect until after the 1st January, 1868.”

On motion, the amendment was concurred in.

The Senate took up the message of the House of Representatives on the bill of the Senate to provide for the filling the office of Judges of the Superior Court and Solicitors General in cases where, on the day fixed by the Constitution for said elections, there is no majority vote cast, which the House of Representatives had passed by adding the following words to the first section: and a special election shall be ordered.”

On motion, the amendment was concurred in.

Mr. C. H. SMITH gave notice that he would move to reconsider the action of the Senate on the foregoing bill, on to-morrow morning.

The Senate took up the message of the House of Representatives in relation to the bill of the Senate to continue in force an act, approved December 27th, 1847, entitled an act to incorporate the Atlanta & LaGrange Railroad Company, which the House of Representatives had passed, with the following amendments, to-wit:

By striking out the word “fifty,” in the fifth line of the first section, and insert the word “thirty;” and after the word “but,” in the sixth line, to strike out the balance of the section, and insert in lieu thereof the following:

“The rates of transportation of freight and passengers over said road may be the same and not greater than those granted to the Georgia Railroad by its charter.”

On motion, the amendments were concurred in.

The Senate took up the message of the House of Representatives on the bill of the Senate to incorporate the Southern Railroad Company, which the House of Representatives had passed with the following amendments, to-wit:

By adding at the end of the second section, the following proviso: “Provided, that none of the privileges herein granted shall be so construed or used as to impair the rights of any other corporation heretofore created.”

Also, to add at the end of the fourth section, the following proviso: “Provided, said charter shall continue for and during the term of thirty years from the commencement of

said road, and that the rates of transportation of freight and passengers over said road may be the same and not greater than those granted to the Georgia Railroad by its charter."

Also, to add, at the end of the third section, the following :

"Provided, that in all disputes and differences arising about the right of way over lands between said company and land owners, the same modes of settlement that are now used in similar cases shall be allowed and are hereby guaranteed to said land or real estate owners."

On motion, the amendments were concurred in.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to approve the consolidation of certain railroad companies therein named, and to authorize the consolidated company to adopt a corporate name.

On motion, the same was postponed indefinitely.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to allow defendants to be witnesses in certain cases therein mentioned.

The report of the committee was disagreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives for the relief of A. Carnes and S. W. Peck, of the county of Cherokee.

Mr. GRESHAM moved to amend by adding the following proviso, which was agreed to, to-wit :

"Provided that the facts set forth be made to appear to the satisfaction of the court having jurisdiction.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to enable the city of Columbus to maintain a public school in said city, and to use the lot known as the Female Academy lot and building for the same.

Mr. THORNTON moved to amend by striking out the 2d section, and inserting in lieu thereof the following :

"*Be it further enacted*, That all funds set apart or appropriated by the State, or by the county of Muscogee, for school or educational purposes, the proportionate amount to which this school may be entitled shall be paid over to the treasurer of said city to be used by said Mayor and Council only in the establishment and maintenance of such public school."

On motion, the amendment was agreed to.

The report of the committee as amended, was agreed to; the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to authorize guardians, administrators, and all other persons acting in a fiduciary capacity to compromise all doubtful debts when the best interests of the parties thus represented will thereby be promoted.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to alter and amend an act to incorporate "Washington Institute," a high school organized by an association of Baptist churches known as the Washington Association, and located in Hancock county, and incorporate trustees for the same; and to change the name of the village of Buffalo, in said county, and for other purposes, assented to December 13th, 1858.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to authorize the Inferior court of Echols county to regulate and prescribe the rates of ferriage in said county, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the Flat Shoals Manufacturing Company, in the counties of Meriwether and Pike.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate the town of Bascom, in the county of Scriven, and appoint commissioners for the same, and for other purposes.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the 1453d section of the Code of Georgia so far as to authorize the corporate authorities of the city of Brunswick to appoint commissioners of pilotage for St. Andrews bar and the Great and Little Satilla rivers.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend

an act entitled an act authorizing the arrest by the Marshal of the village of Sparta without warrant, and the confinement in the common jail of the county of Hancock, all persons violating the laws passed by the commissioners of said village against drunkenness, and other gross and immoral conduct.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to compensate election clerks in Meriwether county.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the 3621st section of the Code of Georgia.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to regulate the payment and collection of jury fees in the county of Clinch.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the 3333d and the 3334th sections of the Code of Georgia.

The report of the committee was agreed to, the bill was read the third time and passed.

On motion, the Senate adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The following message was received from the House of Representatives through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have concurred in the amendments of the Senate to the following bills of the House:

A bill to incorporate the Gainesville and Dahlonga Railroad Company, and for other purposes.

A bill to provide a mode to furnish transportation to soldiers in traveling to and from their homes to the place or places designated as places to supply maimed soldiers with a leg or an arm.

A bill to incorporate the Van Wert Quarrying and Mining Company.

The House recedes from its disagreement to the second amendment of the Senate to the following bill of the House of Representatives :

A bill to levy and collect a tax for the support of the government for the year 1867, and for other purposes.

The House of Representatives having adhered to their amendment to a bill of the Senate for the education of indigent maimed soldiers of Georgia, unite with the Senate in the appointment of a committee of conference, and have on their part, appointed Messrs. DuBose, Lawson and Baker.

On motion, the Secretary was directed to request the return of the bill from the House of Representatives to appropriate money to pay D. B. Sanford to bring up the unfinished business of the late clerk of the Supreme Court, R. E. Martin, deceased, approved 6th March, 1866, which had been rejected by the Senate through inadvertence.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof: .

Mr. President: The House of Representatives have passed by a constitutional majority, ayes 76, noes 13, the following bill of the Senate, with an amendment thereto, in which they invite the concurrence of this branch of the General Assembly :

A bill to incorporate the Savings Bank of Forsyth.

The House of Representatives having adhered to their amendment to the bill of the Senate to amend the law in regard to effecting service of bills in equity, to marshal the assets of estates of deceased persons, unite with the Senate in the appointment of a committee of conference, and have on their part, appointed Messrs. Pottle, Stewart and Bulloch.

The Senate took up the report of the Committee of the Whole on the bill to amend the law in regard to property exempt from levy and sale.

On motion, the same was postponed indefinitely.

The Senate took up the report of the Committee of the Whole on the bill to alter and amend the 1st section of an act passed over the veto of his Excellency, the Governor, by a vote of two-thirds, March 6th, 1866, entitled an act for the relief of the people of Georgia, and to prevent the levy and sale of property under certain circumstances, and within a limited period.

On motion, the bill was postponed indefinitely.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: I am instructed by the House of Representatives to return, in accordance with the request of the Senate, the following bill of the House, to this branch of the General Assembly:

A bill to amend an act to appropriate money to pay D. B. Sanford, Esq., to bring up the unfinished business of the late clerk of the Supreme Court, approved March 6th, 1866.

Mr. BROWN, chairman of the Committee on Enrollment, reported as duly enrolled, and ready for the signature of the President of the Senate, and Speaker of the House of Representatives, the following acts, to-wit:

An act to amend an act incorporating the Planters' Loan and Banking Association, approved the 27th of March, 1866.

An act to incorporate the Albany and Atlantic Railroad Company.

An act for the relief of James C. Adams and James M. Hall, of the county of Pike.

An act to amend an act entitled an act to incorporate the Sweetwater Manufacturing Company, of the county of Campbell, and to incorporate the Augusta Quoit Club, approved December 21st, 1849.

An act to regulate the building and repairing of party and other walls and fences in the city of Savannah, to declare the rights of lot owners in respect thereto, and to give the City Council of Savannah authority to make rules and regulations in the premises.

An act to protect the rights of married women in this State.

An act declaratory of the force and effect of the stay laws of this State in reference to taxation by municipal corporations.

An act to make valid the tax levied by the Inferior Court of Randolph county, for county purposes for the year 1866.

An act to alter and amend an act entitled an act to incorporate the Madison Petroleum Company of Georgia.

An act to authorize suit to be brought against any Railroad or Express Company in this State, and against the Superintendent of the Western and Atlantic Railroad, in any county in which said Railroad or Express Company may have a place of business and an officer or agent.

An act to pay the jury fees, in the county of Worth, to the jury by the plaintiff or appellant, and authorize the Inferior Court of said county to assess and collect an extra tax in said county, to pay juries, petit seventy-five cents, and grand one dollar per day.

* An act to regulate the manner in which the Penitentiary shall be managed and to provide for farming out the same.

The Senate took up the message of the House of Representatives in relation to the bill of the Senate to incorporate the Savings Bank of Forsyth, which the House of Representatives had passed, by adding the following as an additional section, to-wit:

Be it further enacted, That the stockholders shall be held and bound in proportion to their stock, for all debts and liabilities of said corporation, and that this liability shall continue for twelve months after the transfer of the stock, unless the stockholders shall give sixty days notice of such transfer, in which case the liability shall cease, except as to debts existing at the time of said notice, and which shall be sued within six months.

On motion, the amendment was disagreed to.

The Senate took up the report of the Committee of the Whole on the bill to alter and amend an act entitled an act to organize a County Court in each county in this State, approved March 17th, 1866.

On motion, the bill was postponed indefinitely.

The Senate took up the report of the Committee of the Whole on the bill to alter and amend an act to organize a County Court, approved March 17th, 1866.

On motion, the same was postponed indefinitely.

Mr. KENAN reported the following

RESOLUTION

Authorizing and requiring the Governor to purchase carpeting for the Capitol, and for other purposes.

WHEREAS, the floors of the Senate and House of Representatives, and the offices of the different departments need carpets, and the Representative Hall requires suitable desks,

Be it resolved by the General Assembly of the State of Georgia, That the Governor be authorized and required to purchase the above named articles for the purposes above named, and to pay for the same out of the contingent fund.

On motion, the rules were suspended, and the resolution was taken up, read and agreed to.

On motion, the rules were suspended, and the following bill of the House of Representatives was reconsidered and passed, to-wit:

A bill to amend an act entitled an act to appropriate money to pay D. B. Sanford to bring up the unfinished business of the late Clerk of the Supreme Court, R. E. Martin, deceased, approved 6th March, 1866.

Mr. THORNTON, from the Committee of Conference, to whom was referred the disagreement of the Senate and House

of Representatives on a bill to be entitled an act to educate the indigent maimed soldiers of Georgia, and to provide the necessary means for the same, reported that they have had the same under consideration, and recommend that the House recede from its amendment to the first section, and that the Senate adopt the second amendment of the House, which is an amendment to the last section.

On motion, the report was agreed to.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend section 3624 of the Code of Georgia.

The Committee on the Judiciary, to whom this bill was referred, reported in favor of the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the Penal Code.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

Mr. GRESHAM moved to amend by inserting after the words "for a term not less than" in the third section, the words, "five nor more than," which was agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend section 3530 of the Code of Georgia.

The Judiciary Committee, to whom this bill was referred, reported adversely to its passage.

The report of the committee was disagreed to, the bill was read the third time and passed.

Mr. BROWN, chairman of the Committee on Enrollment, reported as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following acts and resolutions, to-wit:

An act to define and regulate the laws governing the twelve months allowance for the support of widows and children.

Also, an act concerning the advertisement of sheriffs sales.

Also, an act to legalize marriages by colored ordained ministers of the gospel, and also to authorize such colored ordained ministers, or ministers of African descent, to solemnize future marriages between freedmen and freedwomen of African descent only.

Also, an act to alter and change the 4249th and 4250th paragraphs of the Code of Georgia.

Also, an act to change the time of holding the Superior Court of Lee county.

Also, a resolution recommending the Governor to pardon Charles W. Crumley, a convict.

Also, a resolution in relation to reserved lands.

Also, an act to authorize bailiffs to summon grand and petit jurors in certain cases, and for other purposes.

Also, an act incorporating the Island Manufacturing Company, in the county of Bartow, on the Etowah river.

Also, a resolution of thanks to the people of Kentucky for their liberal donation to the destitute poor of the State of Georgia.

Also, an act to change the time of holding the County Court of Clay county.

Also, an act to change the time for holding the Superior Courts of the counties of Richmond and Emanuel, and for other purposes.

Also, an act to alter and change the time of holding the Superior Courts in the counties of the Blue Ridge Circuit, of this State.

Also, an act to authorize the Justices or the Inferior Court of the county of Lowndes to issue bonds of said county to raise money to build a court-house and jail in said county, and for other purposes therein mentioned.

Also, an act for the relief of G. W. Puckett, of the county of Cherokee.

Also, an act to amend an act entitled an act to incorporate Cotton Hill Male and Female Seminary, in the village of Cotton Hill, Clay county, and to appoint trustees for the same, approved March 6th, 1856.

Also, an act to amend the 1971st and 1973d sections of the Code of Georgia.

Also, an act to regulate the fees of justices of the peace in certain cases therein specified.

Also, an act to authorize the County Judge of Chatham county to take the list of persons subject to jury duty from the Receiver's Digest of Taxes made in the year 1866, the City Registry, and to put such persons in the jury box who are subject to jury duty, and who are not in the Digest or City Registry, to throw out the present jury tickets, and to make new ones and place them in the box, and for other purposes.

Also, an act to authorize administrators to perfect titles in certain cases.

Also, an act to amend an act to incorporate the Augusta & Summerville Railroad Company, approved March 20th, 1866.

Also, an act to make legal the sale of the Bainbridge Academy lot and for other purposes.

Also, an act to incorporate the Atlanta Depository.

Also, an act to change the name of the Georgia Air Line Railroad Company to the name of the New York & New Orleans Air Line Railroad Company, and to authorize it to consolidate in part or in whole with other railroads, so as to secure the transportation of passengers and freights through the State of Georgia.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to amend the laws of this State so as to authorize commissioners appointed by the Ordinary to set apart the year's support to which widows and children of deceased persons are entitled under existing laws; to pass upon and adjust equities of the parties to such application, as between them and the estate from which said support is sought.

The Judiciary Committee, to whom this bill was referred, having reported adversely to its passage, the same was agreed to, and the bill was lost.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to incorporate an Insurance Company in the city of Bainbridge to be called the National Insurance Company.

The Committee on Internal Improvements, to whom this bill was referred, propose to amend by adding the following:

1st. To strike out the last line of first section and insert in lieu thereof, "and failed in."

2d. By striking out from sixth line of sixth section, "not paid up," and "yet unpaid," in last line of same section.

3d. To add a section, as follows:

And be it further enacted, That the principal place of business of said company shall be Bainbridge, in Decatur county, Georgia.

On motion the amendments were agreed to.

The report of the committee as amended was agreed to, the bill was read the third time and passed.

On motion, the Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

THE SENATE met pursuant to adjournment, and took up

the report of the Committee of the Whole on the bill of the House of Representatives to give landlords a lien upon the crops of tenants for stock, farming utensils and provisions furnished such tenants for the purpose of making their crops.

The Judiciary Committee, to whom this bill was referred, propose to amend by adding the following as an additional section, to-wit :

“And be it further enacted, That factors and merchants shall have a lien upon the growing crops for provisions furnished and commercial manures, upon such terms as may be agreed upon by the parties :” and, with this amendment, they recommend the passage of the bill.

On motion, the amendment was agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

The Senate took up the report of the Committee of the Whole on the bill of the House to amend an act entitled an act to define and regulate court contracts, and to prescribe the manner of enforcing the same in the County Courts.

The Committee on the Judiciary, to whom this bill was referred, reported adversely to its passage.

The report of the committee was agreed to, and the bill was lost.

Mr. VAN DUZER, from the Committee of Conference, appointed to take into consideration disagreements in reference to the amendments of the House of Representatives to the bill of the Senate to amend the law in regard to effecting service of bills in equity to marshal the assets of deceased persons, report that the committee recommend the following amendments in lieu of the amendments of the House :

Strike out all after the word “same,” in the twentieth line of the first section, and insert, “the clerk charging to the plaintiff such fees as the existing laws now authorize the clerk to charge ; provided that such defendants as may be designated by the Judge sanctioning the bill shall be served as required by existing laws ; and adding thereto the following section :

Be it further enacted, That it shall be lawful on application of any of the complainants for the clerk at any time to insert in such bill, subpoena and injunction the name of any defendant that may have been omitted, and service perfected in manner aforesaid shall be of the same effect and operate in the same manner as though such defendants’ name had been inserted in the original bill.

WM. T. VANDUZER,
Chairman.

On motion of Mr. MOORE, the report was agreed to.

The following message was received from his Excellency the Governor, through Mr. Hunter, his Secretary, to-wit:

Mr. President: I am directed by the Governor to return to the Senate, in which they originated, a bill entitled "An Act to allow the redemption of real estate sold under execution within a specified time," and a bill entitled "An Act to amend section 3d, article 4th of the Revised Code of Georgia," accompanied by a communication in writing.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives for the relief of John N. Sligh, of the county of Paulding, and D. A. Bishop and Ruald Johnson, securities on the bond of Robert Hendrix, indicted in Bartow Superior Court for simple larceny.

The Judiciary Committee, to whom this bill had been referred, reported adversely to the passage of the same.

The report of the committee was agreed to, and the bill was lost.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have passed the following bills of the Senate:

A bill to change the time of holding the Superior Courts in the counties of Floyd, Polk, Paulding and Campbell, of the Tallapoosa Circuit.

A bill to incorporate the Lumpkin Chestatee Mining Company, and for other purposes.

A bill to amend an act entitled "An act to incorporate the Baptist Church of Christ, at Macon, and to appoint trustees for the same," approved December 3d, 1851.

A bill to repeal section 2194 of the Code.

A bill to authorize the levy and collection of an extra tax in the county of Richmond by the Justices of the Inferior Court upon the recommendation of the Grand Jury of said county.

A bill to encourage telegraphic communication between the State of Georgia and the Bahamas and West India Islands.

A bill to increase the fees of the clerk of the Superior Court, ordinary and sheriff of the county of Baldwin.

The House of Representatives have agreed to a joint resolution in regard to the purchase of copies of the new Revised Code of Hon. David Irwin, in which they invite the concurrence of this branch of the General Assembly.

They have passed the following bill of the Senate with an amendment to the title thereof, in which they invite the concurrence of the Senate:

A bill in relation to the New Orleans, Mobile & Chattanooga Railroad Company, a corporation of the State of Alabama, and authorizing and empowering said company to exercise and enjoy its corporate powers and franchises in the State of Georgia.

The House recedes from its disagreement to the sixteenth amendment of the Senate to the bill of the House of Representatives to raise a revenue for the political year 1867, and to appropriate money for the support of the government, but adheres to its disagreement to the fourth amendment to the same bill, having before rejected the matter of this amendment in form and in substance.

The House recedes from its amendment to the following bill of the Senate :

A bill to incorporate the Savings Bank of Forsyth.

They have concurred in the Senate's amendment to the resolution of the House in relation to Wellborn's Pamphlet of the public laws.

They refuse to concur in the amendment of the Senate to the resolution of the House in relation to the Digest of the Decisions of the Supreme Court, by A. O. Bacon, Esq.

They have rejected, by indefinite postponement, the following bills of the Senate :

A bill to amend section 3401 of the Code, by inserting certain words therein.

A bill for the pardon of John McMahon, a convict, now confined in the Penitentiary for life.

A bill to amend an act entitled an act for the relief of the people of Georgia, and to prevent the levy and sale of property under certain circumstances and within a limited period, passed over the veto of the Governor by a vote of two-thirds, March 6th, 1866, by declaring how the same shall be construed.

The following message was received from the House of Representatives through Mr. Waddell, the Clerk thereof :

Mr. President: The House of Representatives have agreed to the report of the committee of conference appointed to consider the disagreement between the two Houses, on the bill of the Senate to amend the law in regard to effecting service of bills in equity, to marshal the assets of estates of deceased persons.

They have also agreed to the report of the committee of conference on the bill of the Senate for the education of indigent maimed soldiers.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives enabling

married women to renounce their right to dower and twelve month's support, in and from real estate mortgaged to Loan and Building Associations.

The Committee on the Judiciary, to whom this bill was referred, reported adversely to its passage.

Mr. THORNTON moved to amend by making the provisions of the bill applicable only to the Loan and Building Associations of the county of Richmond, which was agreed to.

The report of the committee, as amended, was agreed to, the bill was read the third time and passed.

Mr. BROWN, from the Committee on Enrollment, reported as duly enrolled, and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following acts, to-wit:

An act to amend an act entitled an act to establish a permanent Board of Education for the city of Savannah, and to incorporate the same, and for other purposes, approved March 21st, 1866, and to change the name and extend the authority and powers of the said board, and for other purposes.

An act to continue in force an act approved December 27th, 1847, entitled an act to incorporate the Atlanta & LaGrange Railroad Company.

An act to authorize the owners of lands lying on Middle river, in the county of Banks, to remove obstructions from the same, and for other purposes.

An act to amend the several acts in relation to the City Court of Savannah.

An act to extend the aid of the State to the Savannah, Griffin and North Alabama Railroad, and for other purposes.

An act to declare the force and effect of a certain bond executed by the State of Georgia, through Campbell Wallace, Superintendent of the Western and Atlantic Railroad, and John Jones, Treasurer of said State, on the 1st day of April, A. D., 1866, and to make said bond valid for the purchase therein set forth as now understood and agreed by the parties.

An act to incorporate the Southern Railroad Company.

An act to declare certain persons competent witnesses as in the act set out, and for other purposes.

An act to declare the force and effect of certain laws, and to declare the duty of sheriffs and other ministerial officers, and to relieve them from liability in such cases.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives for the relief of Nancy E. Hancock.

The Committee on the Judiciary to whom this bill was referred, reported adversely to its passage.

The report of the committee was disagreed to, the bill was read the third time and passed.

The Senate took up the message of the House of Representatives in reference to the bill in relation to the New Orleans, Mobile and Chattanooga Railroad Company, which the House of Representatives had passed with the following amendment to the caption of the bill, to-wit :

“ And to consolidate with the Wills Valley Railroad Company upon certain conditions.”

On motion, the amendment was concurred in.

The Senate took up the message of the House of Representatives in reference to the resolution of the House of Representatives in relation to subscribing for two hundred and fifty copies of the Digest prepared by A. O. Bacon, which the Senate had passed with an amendment, and which was disagreed to by the House of Representatives.

On motion, the Senate receded from its amendment.

The Senate took up the resolution of the House of Representatives in reference to Irwin's Code.

On motion, the resolution was concurred in.

The following resolutions were severally taken up and indefinitely postponed, to-wit :

A resolution in reference to new matter being introduced.

Also, in reference to the adjournment of the General Assembly *sine die*.

Also, in reference to the issue of change bills on the Western & Atlantic Railroad.

Also, in reference to receiving the change bills of the Western & Atlantic Railroad in payment of taxes.

Also, for the members of the General Assembly, officers and clerks, to leave two per diem's pay for the benefit of the Georgia Orphan Home.

Also, in reference to State aid.

Also, in reference to relief meetings in the various counties of this State.

Also, to appoint a committee to examine certain district maps.

The Senate took up the message of the House of Representatives in reference to the fourth amendment proposed by the Senate to the general appropriation bill, in which the House of Representatives had refused to concur, and which had been insisted on by the Senate.

On motion, the Senate adhered to its amendment, and invi-

ted a committee of conference, and appointed on their part Messrs. Thornton and VanDuzer.

The following message from his Excellency was taken up and read, as follows :

EXECUTIVE DEPARTMENT,
MILLEDGEVILLE, 13th December, 1866.

To the Senate :

Having carefully considered an act entitled "An Act to allow the redemption of real estate, sold under execution, within a specified time," and "An Act to amend section 3d, article 4th of the Revised Code of Georgia," both of which originated in your body, I return them unapproved.

There is (judging by the title of the act last named,) some difficulty in determining to what section of the Code it applies. It refers to section 3d, article 4th of the Revised Code. The most general division of the Code is by parts, of which there are two—then by titles. Each title has sundry chapters—each chapter sundry articles—each article sundry sections, so that there are numerous chapters numbered four, and numerous sections numbered three; but I presume that section 3d of chapter 4th, title 3d, part 2d was intended.

My reasons for disapproving these acts will be found in a message addressed to you on the 13th March last, as follows :

To the Senate :

I regret the necessity of interposing my dissent to another act of the General Assembly, which originated in your body, and which I herewith return.

It is entitled "An Act to allow the redemption of real estate, sold under execution, within a specified time."

The first section provides that the purchaser of the property thus sold shall be held and taken as the trustee of the defendant in execution, for the space of two years after the sale.

The second section reserves to the defendant the right to redeem the property at any time within two years, by paying the purchase money, with interest at the rate of ten per cent. per annum.

The fourth section allows any creditor of the defendant to raise the bid of the purchaser, and take all the right acquired by him, within sixty days after the public sale, if not previously redeemed, unless the purchaser will pay an additional sum equal to the difference between his bid at the sale and the subsequent bid of the creditor; and this operation may be repeated any number of times within the sixty days.

The fifth section reserves to the defendant the right of occupancy during the two years allowed for redemption, without paying any consideration therefor, to any person whomsoever.

Should he redeem at the end of two years, he pays interest on the money; but, failing to redeem, he pays nothing as interest—nothing for the use and occupation of the premises.

That it is in the power of the General Assembly to pass such an act, entirely prospective in its operation, I do not question, however fatal the legislation might be to the credit of men having moderate possessions. But this act is not so limited in its operation. By its very terms, it will apply “whenever any real estate shall hereafter be sold in the State, under any execution, order or decree of any court,” etc. This clearly includes sales under judgments rendered before the passage of this act. It modifies the lien of such judgments after it was attached to the property, and is, to that extent, retroactive. By section 3499 of the Revised Code, judgments “bind all the property of the defendant, both real and personal, from the date of such judgments.” The universal acceptation of this clause is, that judgments bind not only every article of the defendant’s property, but his entire interest in each article. This is the lien—nothing else. A sale under it totally extinguishes the defendant’s title, as much so as the most absolute sale he could make in the absence of any judgment.

The manifest effect of the act under consideration is to prevent the sale, under such a judgment, of the defendant’s entire interest in real estate. This it does in several particulars.

1st. It reserves to him the right of redemption for two years, thus carving out of it an equitable interest.

2d. It reserves to him the right of occupancy, against all the world, for two years, rent free, thus carving out of the entire interest a legal estate for years.

3d. It keeps the sheriff’s sale open for sixty days, after the bidding has commenced, during all which time he may receive bids.

It surely needs no argument to prove that property exposed to sale under such incumbrances, would yield a much lower price than if sold free from them. Hence, the conclusion is, that the act imposing these incumbrances upon a sale under a judgment, effects injuriously the prior lien of that judgment, and of course effects injuriously the right of the plaintiff in execution, in whom that lien had vested before the passage of this act. This is retroactive legislation.

If it be asked why the legislature may not do this in the plenitude of their discretion, the answer is brief and simple. The 14th clause of the 1st article of the Constitution contains these emphatic words: “*Retroactive legislation injuriously affecting any right of the citizen is prohibited.*” This does not mean laws punishing acts previously committed; such are

called "*ex post facto*" laws, and are also prohibited by the same clause; but the object in extending the prohibition to "retroactive legislation" was to protect private rights already vested.

I also return without approval, because repugnant to the same clause of the Constitution of the State of Georgia, a bill to be entitled "An Act to exempt from levy and sale certain property of every debtor in this State, and for other purposes." This act, like the other, effects injuriously to plaintiffs in execution, the liens of judgments obtained before its passage, upon the exempted property. These liens are vested rights, as already explained. To the extent of such judgments and their liens, it is retroactive, and, therefore, it is within the prohibition of clause 14 of the 1st article of the Constitution.

The difference between the two acts is only this: The first herein mentioned divests the lien of judgments previously obtained, upon a partial interest, in all the property of the debtor; the second divests it entirely as to a portion of his property. Taking the two into connection, it is easy enough to perceive how greatly and how injuriously the rights of the judgment creditor are effected by this legislation. If the prohibition quoted from the Constitution does not apply to and prevent such legislation, I greatly fear it will be a dead letter.

CHARLES J. JENKINS.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have agreed to a resolution in relation to certain change bills issued by the Superintendent of the Western & Atlantic Railroad, wherein they invite the concurrence of this branch of the General Assembly.

They have passed the following bill of the Senate:

A bill to legalize the sale and conveyance of lands by Julia A. Burnside, administratrix on the estate of Thomas Burnside, late of Clayton county, deceased.

They have rejected the following bills of the Senate:

A bill to change section 3543 of the Code of Georgia.

A bill to compel persons holding claims against this State, entered into or arising, at any time from 1st January, 1861, to 25th June, 1866, passed upon by the court.

The House of Representatives have adopted a resolution relating to the proposed amendment of the Senate to the second section of the appropriation bill, in which they invite the concurrence of the Senate.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk, thereof:

Mr. President: The House of Representatives have agreed

to the following resolutions, in which they invite the concurrence of the Senate :

A resolution relative to the accounts of B. B. Amos, late freight agent of the Western & Atlantic Railroad.

A resolution requesting Congress to appoint an assayer, with an office, at Atlanta, Georgia.

The Senate took up the resolution of the House of Representatives to appoint a committee to explain why this House will not entertain a certain amendment.

On motion, the resolution was disagreed to.

The Senate took up the resolution of the House of Representatives requiring the Superintendent of the Western & Atlantic Railroad to redeem certain change bills.

On motion, the same was laid on the table until to-morrow morning.

Mr. THORNTON reported the following resolution :

Resolved, That the House of Representatives be respectfully requested to appoint a Committee of Conference in relation to the disagreement between the two houses on the general appropriation bill.

On motion, the rules were suspended, and the resolution was taken up, read, and agreed to.

The Senate took up the resolution of the House of Representatives requesting Congress to appoint an assayer.

Mr. GRESHAM moved to amend by striking out all after the word "the" in the second resolution, preceding the words "United States," and inserting the words, "Senate and Speaker of the House of Representatives of the Congress of the United States," which was agreed to.

On motion, the resolution, as amended, was concurred in.

Mr. ENGLAND gave notice that he would move to reconsider the same on to-morrow morning.

The Senate took up the resolution of the House of Representatives relative to the accounts of B. B. Amos, late freight agent of the Western & Atlantic Railroad.

On motion, the resolution was concurred in.

On motion, the Senate adjourned until to-morrow morning at 9½ o'clock.

FRIDAY, December 14th, 1866.

THE SENATE met pursuant to adjournment, and was opened by prayer from the Rev. Mr. YARBROUGH.

Mr. ENGLAND moved to reconsider so much of the Journal of yesterday as relates to the action of the Senate on the resolution of the House of Representatives petitioning Congress to appoint an assayer, which was agreed to.

On motion, the rules were suspended, and the Senate took up the foregoing resolution.

Mr. MOORE moved to amend the first section by striking out the word "Atlanta" and insert the word "Dahlonge," which was agreed to.

The resolution, as amended, was concurred in.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives having adhered to their disagreement to the fourth amendment of the Senate to the general appropriation bill, unite with the Senate in the appointment of a Committee of Conference, and have, on their part, appointed Messrs. KIBBEE, MCWHORTER, of Greene, and GARTRELL.

Mr. BROWN, from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following acts, to-wit:

An act to repeal section 2194 of the Code.

An act to authorize the levy and collection of an extra tax in the county of Richmond by the Justices of the Inferior Court, upon the recommendation of the grand jury of said county.

An act to incorporate the Lumpkin Chestatee Mining Company, and for other purposes.

An act to increase the fees of the clerk of the Superior Court, ordinary and sheriff of the county of Baldwin.

An act to amend an act entitled an act to incorporate the Baptist Church of Christ, at Macon, and to appoint trustees for the same, approved December 3d, 1851.

An act to change the time of holding the Superior Courts in the counties of Floyd, Polk, Paulding and Campbell, of the Tallapoosa Circuit.

An act to incorporate the Savings Bank of Forsyth.

An act to legalize the sale and conveyance of lands by Julia A. Burnsidess, administratrix on the estate of Thomas Burnsidess, late of Clayton county, deceased.

An act to educate the indigent maimed soldiers of Georgia, and to provide the necessary means for the same.

An act to amend the law in regard to effecting service of bills in equity to marshal the assets of estates of deceased persons.

An act to encourage telegraphic communication between the State of Georgia and the Bahamas and West India Islands.

An act to provide for education, and to establish a general system of Georgia schools.

The following message was received from his Excellency, the Governor, through Mr. Hunter, his Secretary, to-wit:

Mr. President: I am directed by the Governor to return to the Senate, in which it originated, a bill to be entitled "An Act to extend the aid of the State to the Savannah, Griffin and North Alabama Railroad, and for other purposes, with a communication in writing.

The Senate took up the message of the House of Representatives on the bill of the Senate, which the House of Representatives had passed with the following amendment to the first section: "and a special election shall be ordered."

On motion, the amendment was disagreed to.

The Senate took up the message of the House of Representatives on the bill of the House, to give landlords liens upon the crops of tenants for stock, farming utensils and provisions furnished such tenants for the purpose of making their crops, which the Senate had passed with an amendment, and which the House of Representatives had concurred in, with the following amendment, to-wit:

To strike out "shall have" and insert the following words, "may have by special contract in writing."

On motion, the amendment was concurred in.

The Senate took up the message of the House of Representatives on the resolution of the Senate appointing a committee to examine and report upon a work on parliamentary law prepared by John B. Weems, Esq., which the House of Representatives had passed with the following amendment, to-wit:

To strike out the words "one thousand" and insert the words "five hundred," and also to add the following proviso:

"Provided the cost per volume does not exceed the sum of two dollars per copy."

On motion, the amendments were agreed to.

The Senate took up the message of the House of Representatives on the resolution of the Senate in reference to the McIntosh Reserve, and other Reserves, which the House of Representatives had concurred in, with the following amendment, to-wit:

By striking out the words, "and lying in or near the city of Macon."

On motion the amendment was concurred in.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have agreed to the following joint resolutions from the Senate:

A resolution in reference to the issuing of new bonds for coupons now due on the Sterling bonds issued in 1838 and due in 1868.

A resolution to secure a prompt distribution of the Laws and Journals of the General Assembly.

A resolution commendatory of the "Southern University Series" of school text books.

They have agreed to the following resolutions from the Senate with amendments, wherein they ask the concurrence of the Senate:

Resolution appointing a committee to examine and report upon a work on parliamentary law prepared by John B. Weems, Esq.

Resolution authorizing the Superintendent of the Western & Atlantic Railroad to establish through rates of freight to Rome, Georgia.

Resolution authorizing the Superintendent of the Western & Atlantic Railroad to investigate and adjust the claim of H. D. Cothran, administrator of James Sproulls, deceased, to a certain portable steam engine now in possession of said road at Graysville.

Resolution in reference to the McIntosh Reserve, and other Reserves.

They have concurred in the amendment of the Senate to the following bill of the House of Representatives, with an amendment thereto:

A bill to give landlords a lien upon the crops of tenants for stock, farming utensils and provisions furnished such tenants for the purpose of making their crops.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have agreed to the report of the Committee of Conference, to whom was referred the disagreement of the two Houses upon the Senate's amendment to the second section of the General Appropriation bill.

The following message was received from the House of Representatives, through Mr. Waddell, the clerk thereof:

Mr. President : The House of Representatives have agreed to a substitute for the resolution of the Senate requesting his Excellency, the Governor, to issue his proclamation in reference to the line between the State of Georgia and Florida, in which they invite the concurrence of this branch of the General Assembly.

They have rejected the following bills of the Senate :

A bill to authorize Banner Thomas, of Pierce county, guardian of William Gye, and James A. Stanfield, of Tattnall county, guardian of Allen R. Strickland, of Liberty county, to deliver to their said wards the property in their possession belonging to them, and to relieve said guardians from all pains and penalties for so doing.

A bill for the relief of administrators, executors, guardians and trustees, and other persons therein named, and of their estates.

The Senate took up the resolution of the House of Representatives requiring the Superintendent of the Western & Atlantic Railroad to redeem certain change bills.

Mr. McDANIEL moved to lay the same on the table for the balance of the session, whereupon the yeas and nays were required to be recorded, and are yeas 13, nays 10.

Those voting in the affirmative are Messrs.

Barwick,	Ezzard,	Owens;
Black,	Gresham,	Quillian,
Blount,	McDaniel,	Russell,
England,	Moore,	Thornton,
		VanDuzer.

Those voting in the negative are Messrs.

Carter,	Kenan,	Simmons,
Crawford,	Manson,	Smith, C. H.
Johnson, J. F.	Parris,	Strickland,
		Turner.

Yeas 13; nays 10. So the motion prevailed.

Mr. THORNTON, from the Committee of Conference, to whom was referred the disagreement of the two Houses upon the Appropriation Bill, beg leave to report, that they acknowledge the justness of the claims presented by the Senate as amendatory of the House Appropriation Bill, but it having been the policy of both Houses to reject bills of like character during the present session, and in consideration of the lateness of the session, the committee recommend that the Senate recede from their amendment.

B. A. THORNTON,
Chairman Senate Committee.

C. C. KIBBEE,
Chairman House Committee.

On motion, the report was agreed to.

The Senate took up the report of the Committee of the Whole on the bill of the House of Representatives to create a new Judicial Circuit to be called the Atlanta Circuit.

The Committee on the Judiciary, to whom this bill had been referred, reported in favor of the passage of the same.

The report of the committee was agreed to, the bill was read the third time and passed.

The following message was received from the House of Representatives, through Mr. Waddell, the clerk thereof:

Mr. President: The House of Representatives recede from their amendment to the following bill of the Senate:

A bill to provide for the filling of the office of Judges of the Superior Court and Solicitors General in cases where, on the day fixed by the Constitution for said elections, there is no majority vote cast.

Mr. BROWN, chairman of the Committee on Enrollment, reported as duly enrolled, and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following acts, to-wit:

An act to consolidate the offices of treasurer and steward of the Lunatic Asylum, and to define the duties of said office.

Also, an act to change the name of the Young America Fire Company of the city of Savannah, and for other purposes.

Also, an act to amend section 2014, 2015, 2016, 2017 and 2020 of the Code, and for other purposes.

Also, an act to incorporate the Bartow Foundry and Manufacturing Company, in the county of Bartow, and to define the rights, privileges and liabilities of the same.

Also, an act to incorporate the town of Attapulgus, in the county of Decatur, and to provide for the election of commissioners for the same.

Also, an act to alter and change the line between the counties of Walker and Chattooga.

Also, an act to authorize the Inferior Courts of Thomas and Mitchell to issue bonds for the purpose of taking stock in the South Georgia and Florida Railroad.

Also, an act to change the times of holding the semi-annual terms of the County Court of Spalding county, and for other purposes.

Also, an act to amend the 1453d section of the Code of Georgia so far as to authorize the corporate authorities of the city of Brunswick to appoint commissioners of pilotage for St. Andrews bar and the Great and Little Satilla rivers.

Also, an act to incorporate the Villa Rica Mining Company.

Also, an act to amend the 3621st section, of the Code of Georgia.

Also, an act to incorporate the Atlanta Mining and Land Company.

Also, an act to alter and fix the times for holding the Superior Courts in the counties of Colquitt, Lowndes, Brooks and Thomas.

Also, an act to authorize the Southern & Western Fire Marine and Accident Insurance Company of New Orleans to establish branches in the State of Georgia.

Also, an act to compensate election clerks in Meriwether county.

Also, an act to regulate the payment and collection of jury fees in the county of Clinch.

Also, an act to change the line between the counties of Baker and Early.

Also, an act to incorporate the town of McIntosh, at Indian Springs, in the county of Butts, and to amend an act passed 25th December, 1837

Also, an act to authorize the making of parties in certain cases therein mentioned.

Also, an act to amend an act entitled an act to alter and amend the Penal Code, approved March 20th, 1866.

Also, an act to repeal an act entitled an act to add lot No. 46 in 30th district originally Lee, now Schley, to the county of Sumter, assented to April 13th, 1863.

Also, an act to provide a mode to furnish transportation to soldiers in traveling to and from their homes to the place or places designated as places to supply maimed soldiers with a leg or an arm.

Also, an act to make permanent the county site of Bulloch county, and to incorporate the same, and for other purposes.

Also, an act to amend the 3333d and the 3334th sections of the Code of the State of Georgia.

Also, an act to authorize the Justices of the Inferior Court of Chatham county to require the attendance of the Justices of the Peace at elections, and for other purposes.

Also, an act to alter and amend section thirteen hundred and seventy-seven (1377) of the Code of this State.

Also, an act to alter and amend the oath of retail venders of spirituous liquors.

Also, an act to incorporate the Flat Shoals Manufacturing Company, in the counties of Meriwether and Pike.

Also, an act to levy and collect a tax for the support of the Government for the year 1867, and for other purposes.

Also, an act to amend an act entitled an act to incorporate the Savings Bank of Augusta, approved 21st March, 1866.

Also, an act to incorporate the Van Wert Quarrying and Mining Company.

Also, an act to authorize the Inferior Court of Echols county to regulate and prescribe the rates of ferriage in said county, and for other purposes.

Also, an act to change the line between Lowndes and Echols, and for other purposes.

Also, an act to change the time of holding the Court of Ordinary in the county of Terrell.

Also, an act to authorize guardians, administrators, executors, and all other persons acting in a fiduciary capacity, to compromise all doubtful debts when the best interest of the parties thus represented will thereby be promoted.

Also, an act to amend an act entitled an act authorizing the arrest by the marshal of the village of Sparta, without warrant, and the confinement in the common jail of the county of Hancock, all persons violating the laws passed by the Commissioners of said village against drunkenness and gross and immoral conduct.

Also, an act to extend the provisions of an act entitled an act to amend several acts now in force regulating the fees of magistrates and constables in this State so far as relates to the counties of Bibb, Richmond, Monroe and Lee, and provide the mode of collecting the same, approved January 22d, 1852, so as to include the magistrates and constables of the county of Muscogee, and to provide for the collection of the same.

Also, an act to alter and amend an act to incorporate Washington Institute, a high school organized by an association of Baptist churches, known as the Washington Association, and located in Hancock county, and incorporate trustees for the same, and to change the name of the village of Buffalo, in said county, and for other purposes, assented to December 13th, 1858.

Also, an act to amend an act entitled an act to appropriate money to pay D. B. Sanford to bring up the unfinished business of the late clerk of the Supreme Court, R. E. Martin, deceased, approved 6th March, 1866.

Also, an act to incorporate the Buena Vista Manufacturing Company, in the county of Baldwin.

Also, an act to alter and amend the second section of an act entitled an act to alter and amend an act incorporating the trustees of Christ Church, in the city of Augusta, and to

change the name thereof to the First Presbyterian Church of the city of Augusta, assented to December 29th, 1836.

Also, an act to incorporate the town of Bascom, in the county of Screven, to appoint commissioners for the same, and for other purposes.

Also, an act to amend section 3624 of the Code of Georgia.

Also, an act to incorporate the Savannah, Skidaway & Seaboard Railroad Company.

Also, an act to amend section 3530 of the Code of Georgia.

Also, resolution in relation to Wellborn's Pamphlet Public Laws, etc.

Also, an act to add an additional section to an act amendatory of the law relating to the establishment of lost papers, approved 7th March, 1866.

Also, an act to amend the Penal Code.

Also, an act for the relief of A. Carnes and S. W. Peck, of the county of Cherokee.

Also, an act to amend an act entitled an act to amend the act incorporating the city of Thomasville, and to grant certain privileges to the same, approved March 6th, 1856, so far as regards the first section of said act.

Also, an act for the relief of Nancy E. Hancock.

Also, an act to make it a misdemeanor to hunt with firearms or a dog, on the Sabbath day, in certain counties in this State therein named.

Also, a resolution in reference to Irwin's Code.

Also, an act to enable the city of Columbus to maintain a public school in said city, and to use the lot known as the Female Academy lot building for the same.

Also, an act to incorporate the Gainesville & Dahlonega Railroad Company, and for other purposes.

Also, an act to incorporate an insurance company in the city of Bainbridge, to be called the National Insurance Company.

Also, an act to incorporate the Atlanta Manufacturing and Mining Company.

Also, an act to incorporate the Kellogg Gold Mining & Manufacturing Company.

Also, an act to authorize the city council of Savannah to lay down and construct carriage railways in the streets of Savannah, and to operate and work the same either directly for the corporation of Savannah, or by contract or agreement with other persons, and for other purposes, in this act mentioned.

Mr. BROWN, from the Committee on Enrollment, reported

as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following acts, to-wit:

An act in relation to the New Orleans, Mobile & Chattanooga Railroad Company, a corporation of the State of Alabama, and authorizing and empowering said company to exercise and enjoy its corporate powers and franchises in the State of Georgia, and to consolidate with the Wills Valley Railroad Company upon certain conditions.

Also, a resolution commendatory of the Southern University series of school text books.

A resolution in reference to the issuing of new bonds for coupons now due on the sterling bonds issued in 1838, and due in 1868.

A resolution to secure a prompt distribution of the Laws and Journals of the General Assembly.

A resolution to authorize the superintendent of the Western & Atlantic Railroad to investigate and adjust the claim of H. D. Cothran, administrator of James Sproulls, deceased, to a certain portable steam engine now in possession of the said road at Graysville.

A resolution authorizing the superintendent of the Western & Atlantic Railroad to establish through rates on freight to Rome, Georgia.

A resolution appointing a committee to examine and report upon a work on parliamentary law, prepared by John B. Weems, Esq.

An act to provide for the filling the office of Judges of the Superior Court and Solicitor General in cases where, on the day fixed by the Constitution for said elections, there is no majority vote cast.

A resolution in reference to the line between Georgia and Florida.

The following message from his Excellency, the Governor, was taken up and read, as follows:

EXECUTIVE DEPARTMENT,
MILLEDGEVILLE, 14th December, 1866.

To the Senate:

At a late hour yesterday evening, "An Act to extend the aid of the State to the Savannah, Griffin & North Alabama Railroad, and for other purposes," originating in your body, was presented to me for consideration. No one subject which has engaged your attention during the present session has given me so much serious reflection, or so much anxious solicitude, as the proposition to extend, on a large scale, State

aid to railroad enterprises progressing or projected. Always favoring the cause of internal improvement, I, thirty years ago, concurred with my cotemporaries in the opinion that the best form of extending State aid to that cause, in Georgia, was to construct exclusively with the means of the State a railroad which would open up to them all communication with the great West and North-West. That work was originated at that time, has long since been pressed to completion, and is now feeding them all and dispensing blessings to the whole people. It may well be questioned whether the State should ever have done or should now do more. But when the question was presented of extending aid in the form of credit, to increase greatly the facilities of our people for foreign commerce, by connecting them with an admirable port of their own which nature has prepared for the commerce of the world, I seconded your movement.

The State thus having put her people in communication with the mighty West, and having then turned her look eastward, and consented to aid in opening up a new and important avenue of commerce with all the world, is it not enough? May not connections with these well conceived commercial highways be left to private enterprise? The vice of the age is attempting too much. States, with all their resources, often attempt too much. Crippled as she now is, Georgia could not make a greater mistake at this time, than to venture upon a large expansion of her credit. It is marvelously good under all the circumstances of the day, but not what it was; and imprudence will assuredly sink it below what it is. I would earnestly urge the General Assembly not to deal too lavishly with it. It is true that the individual resources of our people are impaired, but so are those of the State. For a while we should be content to "make haste slowly." Much that I have said against acceding to other like applications, though not all, is applicable to this.

The limited time afforded me, requires brevity. Nothing has yet been done which makes precedent for general aid. The passage of this act, I think, would. There is danger in this system, and especially at this time. Our safety consists in checking it in the bud. I therefore return the act without my signature.

CHARLES J. JENKINS.

Mr. BROWN, chairman of the Committee on Enrollment, reported as duly enrolled and signed by the Speaker of the House of Representatives, and ready for the signature of the President of the Senate, the following acts and resolutions, to-wit:

A resolution relative to the accounts of B. B. Amos, late freight agent of the Western & Atlantic Railroad.

Also, a resolution in reference to the McIntosh Reserve and other reserves.

Also, a resolution requesting Congress to appoint an assayer.

Also, an act for raising a revenue for the political year 1867, and to appropriate money for the support of the government, and to make certain special appropriations, and for other purposes therein mentioned.

Also, an act to create a new judicial circuit, to be called the Atlanta Circuit, and for other purposes.

Also, an act to give landlords a lien upon the crops of tenants, for stock, farming utensils and provisions furnished such tenants for the purpose of making their crops, and to give factors and merchants a lien, etc.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have rejected the following resolution of the Senate:

A resolution authorizing and requiring the Governor to purchase carpeting for the capitol, and for other purposes:

They have agreed to a resolution allowing fifteen days to the Secretary of the Senate and Clerk of the House to bring up the unfinished business.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: I am instructed by the House of Representatives to inform the Senate that they have completed the business of the present session of the General Assembly of the State of Georgia, and are ready to adjourn *sine die*.

The following message was received from the House of Representatives, through Mr. Waddell, the Clerk thereof:

Mr. President: The House of Representatives have concurred in the resolution of the Senate for the appointment of a committee to wait upon his Excellency, the Governor, and inform him that both branches of the General Assembly having disposed of the business before them, are ready to adjourn *sine die*.

The committee on the part of the House are Messrs. McWhorter, of Greene, Rogers and Willis.

The Senate took up the message of the Governor in relation to the bill of the Senate to amend section 3d, article 4th of the Revised Code of Georgia, which he had returned to the Senate without his approval.

Mr. BLOUNT moved that the bill be passed over the veto of his Excellency, the Governor, and a constitutional majority being necessary to pass the same, the yeas and nays were required to be recorded, and are yeas 19, nays 5.

Those voting in the affirmative are Messrs.

Barwick,	Gresham,	Simmons,
Beall, O. P.	Johnson, J. F.,	Smith, C. H.
Black,	Manson,	Strickland,
Blount,	McDaniel,	Thornton,
Brown,	Moore,	Turner,
Carter,	Parris,	VanDuzer.
Ezzard,	Russell,	

Those voting in the negative are Messrs.

Crawford,	Kenan,	Quillian.
England,	Owens,	

Yeas 20; nays 5. So the bill was passed over the veto of his Excellency, the Governor.

The Senate took up the message of his Excellency, the Governor, in reference to the bill to allow the redemption of real estate, sold under execution, within a specified time, which he had returned to the Senate without his sanction.

Mr. J. F. JOHNSON moved that the bill be passed over the veto of his Excellency, the Governor, and a constitutional majority being required, the yeas and nays were required to be recorded, and are yeas 9, nays 14.

Those voting in the affirmative are Messrs.

Barwick,	Carter,	Parris,
Black,	Ezzard,	Strickland,
Blount,	Johnson, J. F.,	VanDuzer.

Those voting in the negative are Messrs.

Crawford,	McDaniel,	Simmons,
England,	Moore,	Smith, C. H.
Gresham,	Owens,	Thornton,
Kenan,	Quillian,	Turner.
Manson,	Russell,	

Yeas 9; nays 14. So the bill was lost.

The Senate took up the message of the Governor in relation to the bill to extend the aid of the State to the Savannah, Griffin & North Alabama Railroad.

Mr. BLOUNT moved that the bill be passed over the veto of his Excellency, the Governor, and a majority of two-thirds being requisite to pass the same, the yeas and nays were required to be recorded, and are yeas 12, nays 11.

Those voting in the affirmative are Messrs.

Beall, O. P.	Gresham,	Quillian,
Blount,	Kenan,	Strickland,
Carter,	McDaniel,	Thornton,
Ezzard,	Parris,	Turner.

Those voting in the negative are Messrs.

Barwick,	England,	Russell,
Black,	Manson,	Simmons,
Crawford,	Moore,	Smith, C. H.,
	Owens,	VanDuzer.

Yeas 12; nays 11. So the bill was lost.

The following message was received from the House of Representatives through Mr. Waddell, the clerk thereof:

Mr. President: The House of Representatives, upon a reconsideration, have refused to pass by a constitutional majority, over the veto of his Excellency, the Governor, the following bill of the Senate:

A bill to amend section third, article 4th, of the Revised Code of Georgia.

The Senate took up the resolution of the House of Representatives in reference to the boundary line between Georgia and Florida.

On motion, the resolution was concurred in.

Mr. C. H. SMITH reported the following resolution, which was taken up and unanimously agreed to, to-wit:

Resolved, That it is the pleasure of the members of the Senate to tender to our President, the Hon. Wm. Gibson, and to our President *pro tem.*, the Hon. Benning B. Moore, our thanks and our approval of the able, dignified and courteous manner in which they have performed the arduous duties of their high offices.

It is not at all probable that all of us shall ever again be associated together as members of this body, and it is a source of high congratulation, that during our brief association here, we have all dwelt together in unity. We feel that much of our harmony and kind and courteous intercourse has been promoted by the long experience and liberal legislation of these officers. Over us they have held the balance of power with an impartial hand, and we shall part with them with an earnest hope that they may go on to win new honors and a still higher distinction.

Mr. THORNTON reported the following resolution, which was taken up, read and unanimously agreed to, to-wit:

Resolved, That the thanks of the Senators are due and are hereby tendered to the Secretary, Mr. John B. Weems, for the faithful, able and prompt discharge of all his duties, his patience and urbanity being evinced at all times to every Senator when they have desired information or extra service at his hands. And to Mr. Fletcher T. Sneed, the Assistant Secretary, for his success in having everything in its place, and ready obedience to every demand made of him.

And also to Mr. T. D. Wright, whose daily Journals of the proceedings cannot be surpassed in beauty and accuracy.

Mr. BROWN reported the following resolution, which was unanimously agreed to, to-wit :

Resolved, That the thanks of the Senate are hereby tendered to the clerks of the Engrossing and Enrolling Departments for the able and efficient manner in which they have discharged the onerous duties of their office.

Mr. C. H. SMITH reported the following resolution, which was unanimously agreed to, to-wit :

Resolved, That the thanks of the Senate be tendered to W. H. Roberts, the Door-Keeper of the Senate, and A. J. Cameron, the Messenger, for their diligent and constant service upon this body.

Mr. KENAN reported the following resolution, which was unanimously agreed to, to-wit :

Resolved, That the thanks of the Senate are due and are hereby tendered to Col. B. W. Frobels for the handsome and economical manner in which he has fitted up the Halls of the Senate and House of Representatives.

Mr. MOORE reported the following resolution, which was agreed to, to-wit :

Resolved, That the Senators from the thirty-sixth and twentieth Senatorial Districts be appointed to bring up the unfinished business of the session, and that they be allowed three days to do so.

Mr. REDDING reported the following resolution :

Resolved, That a committee of three be appointed to join a similar committee from the House to wait upon his Excellency, the Governor, and inform him that both branches of the General Assembly, having disposed of the business before them, are ready to adjourn *sine die*, and to ascertain from him whether or no he has any communication to make to either branch thereof.

On motion, the rules were suspended, and the resolution was taken up, read and agreed to.

The committee appointed under the above resolution on the part of the Senate, consists of Messrs. REDDING, GRESHAM and OWENS.

The Senate took up and concurred in the resolution of the House of Representatives allowing the Secretary of the Senate and Clerk of the House of Representatives fifteen days to bring up the unfinished business of the present session.

Mr. REDDING, from the committee appointed to wait on his Excellency, the Governor, and inform him that both

branches of the General Assembly were now ready to adjourn, reported that they had performed that duty, and that his Excellency had no further communications to make, but wished each individual member long life, health and happiness.

Mr. THORNTON moved that the Secrétary be instructed to inform the House of Representatives that the Senate were now ready to adjourn, and inquire if they had any further communications to make.

On motion, the Senate adjourned *sine die*.

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A.

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